

IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
 SPECIAL EXCEPTION & ZONING VARIANCE
 SEC Rolling and Windsor Mill Rd. * ZONING COMMISSIONER

7415 Windsor Mill Road * OF BALTIMORE COUNTY
 2nd Election District
 2nd Councilmanic District * Case No. 96-92-SPHXA
 Exxon Corporation
 Petitioner *

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Hearing, Special Exception and Zoning Variance all for the property located at 7415 Windsor Mill Road. The Petitions are filed by the Exxon Corporation, property owner. Special Exception relief is requested for approval of an amendment of the previously approved site plans in cases Nos. 81-45-SPH and 82-45-SPH. Special Hearing relief is requested to add a convenience store to an existing fuel service station. Numerous variances are requested. These are mostly sought to legitimize existing conditions. They are:

1. Section 405.4.A.1 of the BCZR to allow a 21,880 sq. ft. site area in lieu of the required 23,828 sq. ft. site area;
2. Section 405.4.A.2.A to allow a 9 ft. canopy setback in lieu of the 15 ft. canopy setback;
3. Section 405.4.A.2.A to allow a 30 ft. building setback in lieu of the required 35 ft. building setback;
4. Section 405.4.A.2.A to allow a 20.5 ft. pump island setback in lieu of the required 25 ft. required pump island setback;
5. Section 405.4.A.2.A to allow a 7.5 ft. landscape transition area in lieu of the required 10 ft. landscape transition;
6. Section 405.4.A.2.A to allow 10 parking spaces, in lieu of the required 14 spaces;

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ORDER RECEIVED FOR FILING

Date

By

10/19/95
 M. Park

7. Section 405.4.A.3.C.1 to allow two less pump island stacking spaces than are required;

8. Section 413.2(f) to allow a 101.46 sq. ft. doublesided sign in lieu of the required 100 sq. ft. doublesided sign.

All of the above are in accordance with Petitioner's Exhibit No. 1, the site plan to accompany the Petitions.

Appearing at the public hearing held for this case was Jennifer Coward on behalf of the Exxon Corporation, the Petitioner/property owner. Also present was Tim Whittie, from Frederick Ward and Associates, Inc., Consultants. Mr. Whittie assisted in the preparation of the site plan. Also present was Chaudhany M.A. Shafri, the operator of the Exxon dealership at this location. There were no Protestants or other interested persons present. The Petitioner was represented by David K. Gildea, Esquire. There were no Protestants or other interested persons present.

The examination of the site plan discloses that the subject property is zoned B.L.-C.N.S. and is approximately 21,880 sq. ft. in area. The subject property is a triangularly shaped lot which is bordered by Windsor Mill Road to the north and east and Rolling Road to the south and west. The property is located in a largely commercial locale. Numerous other businesses exist along Windsor Mill Road and Rolling Road within close proximity to the property. These include a High's Convenience Store, a drycleaners, a 7-11 Convenience Store and several other retail uses. Residential communities exist not far away to the interior of the commercial corridors.

Ms. Coward testified that the subject property has been utilized as an Exxon Service Station for at least 15 years. Presently, the site has a number of pump islands and a three bay service garage building. Numerous photographs of the site were presented which depict current conditions. In order to meet changing market conditions, the location will be refurbished

and upgraded. The bays will be eliminated and the repair business no longer offered. Although fuel will continue to be dispensed from the site, the building will be remodeled so as to house a Tiger Mart Convenience Store. This Zoning Commissioner has recently entertained other cases by large oil companies and convenience store chains as the changing market conditions in this industry. These collective businesses are now offering a variety of convenience items from the same location, including fuel, food and household goods.

Mr. Shafri, the dealer who operates this business also appeared and testified. He described the business and proposed changes. He noted that the site would be operated on a 24 hour per day basis and would have from 1 to 3 employees on the property at a given time.

Also testifying was Tim Whittie, the consultant who assisted in the preparation of the site plan. He described in detail the proposed renovations to the property and also the standards for the zoning relief sought. As to the zoning variance, the required test is set forth in Section 307.1 of the BCZR. As to the special exception, relief is requested pursuant to Sections 405 and 502.1 of the BCZR.

A number of agencies of Baltimore County have also reviewed and commented on the request. The Office of Planning and Zoning supports the request and indicates that renovation of the site will enhance the existing automotive service station. That office recommends approval of the zoning relief. Other agencies neither object nor support the proposal.

Based on the uncontradicted testimony and evidence presented, I am persuaded to grant the relief requested. As to the Petitions for Special Hearing and Exception, it is clear that same will not detrimentally affect the health, safety or general welfare of the community. To the contrary, the proposal represents a significant opportunity to rehabilitate this use.

I find that the tests and standards set forth in Sections 405 and 502.1 of the BCZR have been satisfied.

As to the variances, they should also be approved. In this regard, it is noted that most of the variances are driven by existing conditions. That is, no new construction is planned on site and the variances are sought only to legitimize the existing buildings and other improvements on the property. The unique character of the site is its peculiar shape and location at the intersection of Rolling Road and Windsor Mill Road. This shape causes a practical difficulty upon the Petitioner and prevents strict adherence to the Zoning Regulations for which the variances are sought. Moreover, it is clear that the relief, if granted, will be consistent with the spirit and intent of the regulations and will not detrimentally affect the surrounding locale.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

IT IS THEREFORE ORDERED, by the Zoning Commissioner for Baltimore County, this 19th day of October, 1995 that, pursuant to the Petition for Special Exception, approval of an amendment of the previously approved site plans in case Nos. 81-45-SPH and 82-45-SPH, be and is hereby GRANTED; and,


IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing, approval to add a convenience store to an existing fuel service station, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that variances from Section 405.4.A.1 of the BCZR to allow a 21,880 sq. ft. site area in lieu of the required 23,828 sq. ft. site area; Section 405.4.A.2.A to allow a 9 ft. canopy setback in lieu of the 15 ft. canopy setback; Section 405.4.A.2.A to allow a 30 ft. building setback in lieu of the required 35 ft. building setback; Section

405.4.A.2.A to allow a 20.5 ft. pump island setback in lieu of the required 25 ft. required pump island setback; Section 405.4.A.2.A to allow a 7.5 ft. landscape transition area in lieu of the required 10 ft. landscape transition; Section 405.4.A.2.A to allow 10 parking spaces, in lieu of the required 14 spaces; Section 405.4.A.3.C.1 to allow two less pump island stacking spaces than are required; and from Section 413.2(f) to allow a 101.46 sq. ft. doublesided sign in lieu of the required 100 sq. ft. doublesided sign, be and is hereby GRANTED, subject, however to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall submit for approval by the County's Landscape Architect, a landscape plan which is substantially in conformance with that plan submitted at the hearing as Petitioner's Exhibit No. 1.


LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

ORDER RECEIVED FOR FILING

Date

10/19/95

By

M. H. H. H.

LES:mmn

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 18, 1995

G. Scott Barhight, Esquire
David K. Gildea, Esquire
Whiteford, Taylor and Preston
210 W. Pennsylvania Avenue
Towson, Maryland 21204

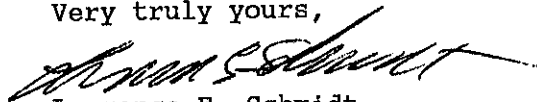
RE: Petitions for Special Exception, Special Hearing and Variances
Case No. 96-92-SPHXA
Exxon Corporation, Petitioner

Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Exception, Special Hearing and Variances have been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,


Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

cc: Ms. Jennifer Coward, Exxon Corporation
Suite 700, 6301 Ivy Lane
Greenbelt, Maryland 20770





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7415 Windsor Mill Road

96-92-SPHXA

which is presently zoned BL-AS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHMENT A.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

TO BE PRESENTED AT HEARING.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

G. Scott Barhight
David K. Gildea

(Type or Print Name)

Signature

Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue, 4th Fl.

Address

Phone No.

Towson, MD 21204 (410) 832-2000

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Exxon Corporation

(Type or Print Name)

Signature

Michael J. Specht (Attorney-in-fact)

(Type or Print Name)

Signature

6301 Ivy Lane, Suite 700 (301) 513-7511

Address

Phone No.

Greenbelt, MD 20770

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

G. Scott Barhight
David K. Gildea

Name Whiteford, Taylor & Preston

210 W. Pennsylvania Ave., 4th Fl.

Address Towson, MD 21204 (410) 832-2000

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____



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89



Petition for Special Hearing

96-92-SPHXA

to the Zoning Commissioner of Baltimore County

for the property located at

7415 Windsor Mill Road

which is presently zoned

BL-AS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

To add a convenience store to an existing full service station

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

N/A

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

G. Scott Barhight
David K. Gildea

(Type or Print Name)

Signature

4th Floor
210 W. Pennsylvania Ave

Address

Phone No.

Towson, MD 21204

832-2066

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Exxon Corporation

(Type or Print Name)

Signature

Michael J. Specht (Attorney-in-fact)

(Type or Print Name)

Signature

Suite 700

6301 Ivy Lane

(301) 513-7511

Address

Phone No.

Greenbelt, MD 20770

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

David K. Gildea

832-2066

Name 4th Floor

210 W. Pennsylvania Ave, Towson, MD 21204

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____



89



Petition for Special Exception

96-92-SPHXA

to the Zoning Commissioner of Baltimore County

for the property located at 7415 Windsor Mill Road

which is presently zoned BL-AS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Amendments to the previously approved plan in Case #s 81-45-SPH and 82-45-SPH

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

N/A

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

G. Scott Barhight

David K. Gildea

(Type or Print Name)

David K. Gildea

Signature

4th Floor

210 W. Pennsylvania Ave

Address

Phone No.

Towson, MD 21204

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Exxon Corporation

(Type or Print Name)

MS (Attorney-in-Fact)

Michael J. Specht

(Type or Print Name)

Signature

Suite 700

6301 Ivy Lane

(301) 513-7511

Address

Phone No.

Greenbelt, MD 20770

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

David K. Gildea

832-2066

Name 4th Floor

210 W. Pennsylvania Ave, Towson, MD 21204

Address

Phone No.

~~EXHIBIT REQUIRED~~ OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

Unavailable for Hearing

2 hrs

On following dates

Next Two Months

ALL

OTHER

REVIEWED BY: *cam*

DATE

24 Aug 95



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89

ATTACHMENT A

96-92-SP4XA

1. Section 405.4A.1 -- to allow a 21,880 sq. ft. site area in lieu of the require 23,828 sq. ft. site area.
2. Section 405.4A.2.A -- to allow a 9' canopy set-back in lieu of the 15' canopy set-back.
3. Section 405.4A.2.A -- to allow a 30' building set-back in lieu of the required 35' building setback.
4. Section 405.4A.2.A -- to allow a 20.5' pump island set-back in lieu of the required 25' required pump island set-back.
5. Section 405.4A.2.A -- to allow a 7.5' landscape transition area in lieu of the required 10' landscape transition.
6. Section 405.4A.2.A -- to allow 10 parking spaces, in lieu of the required 14 spaces.
7. Section 405.4A.3.C.1 -- to allow two less pump island stacking spaces than are required.
8. Section 413.2(f) -- to allow a 101.46 sq. ft. doublesided sign in lieu of the required 100 sq. ft. doublesided sign.



Frederick Ward Associates, Inc.

Main Office: P.O. Box 727 · 5 South Main Street · Bel Air, Maryland 21014 (410) 838-7900 / 879-2090 · Fax (410) 893-1243

ZONING DESCRIPTION

7415 Windsor Mill Road
Second Election District
Baltimore County, Maryland

96-92-SPH XA

BEGINNING from the same at a point on the northeasterly right-of-way line of Rolling Road at the southwest end of an intersection fillet connecting the northeasterly right-of-way of Rolling Road with the southerly right-of-way line of Windsor Mill Road. Thence binding on said fillet

1) by a curve to the right in a northeasterly direction of radius 23.00 feet an arc distance of 58.35 feet and subtended by a chord North 44°31'39" East 43.91 feet to a point compound curve

2) by a non-tangent curve to the right in a southeasterly direction of radius 3789.72 feet an arc distance of 162.19 feet and subtended by a chord South 61°34'36" East 162.90 feet to a point of tangency

3) South 60°20'51" East 50.84 feet. Thence leaving Windsor Mill Road

4) South 43°37'00" West 161.54 to intersect the northeasterly right-of-way of Rolling Road. Thence binding thereon

5) by a curve to the right in a northwesterly direction of radius 4553.66 feet an arc distance of 216.53 feet and subtended by a chord North 29°33'28" West 216.51 feet to the point of beginning hereof

CONTAINING 22145 square feet, (0.508 acre) of land, more or less



Vincent X. Nohr 7/24/95

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

Item # 89 007749

DATE 24 Aug 95 ACCOUNT R-001-6150

96-92-5PHXA AMOUNT \$ 685.00

RECEIVED FROM: Whiteford Taylor Preston

FOR: SPHXA - 7415 Windsor M... Rd

(EXXON) 03A03#0125MICHRC \$685.00
BA C009:04AM08-25-95

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

CAM

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

012005

DATE 11/14/95 ACCOUNT R-001-6150

AMOUNT \$ 40.00 (JLL LWS)

RECEIVED FROM: David K. Gilder
Whiteford Taylor Preston

FOR: zoning verification
(710) 7415 Windsor Mill Rd.

03A91#0347MICHRC \$40.00
BA C009:22AM11-15-95

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

S.S.

TO: PUTUXENT PUBLISHING COMPANY
September 21, 1995 Issue - Jeffersonian

Please forward billing to:

G. Scott Barhight, Esq.
210 W. Pennsylvania Avenue
Towson MD 21204
832-2066

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-92-SPHXA (Item 89)
7415 Windsor Mill Road
SEC Rolling and Windsor Mill Road
2nd Election District - 2nd Councilmanic
Legal Owner: Exxon Corporation
HEARING: FRIDAY, OCTOBER 13, 1995 at 2:00 p.m. in Room 106, County Office Building.

Special Hearing to add a convenience store to an existing full service station.
Special Exception for amendments to the previously approved plans in case #81-45-SPH. and #82-45-SPH.
Variance to allow 21,880 square foot site area in lieu of the required 23,828 square foot site area; to allow a 9-foot canopy setback in lieu of the 15-foot canopy setback; to allow a 30-foot building setback in lieu of the required 35-foot building setback; to allow a 20.5-foot pump island setback in lieu of the required 25-foot required pump island setback; to allow a 7.5 foot landscape transition area in lieu of the required 10-foot landscape transition; to allow 10 parking spaces in lieu of the required 14 spaces; to allow two less pump island stacking spaces than are required; and to allow a 101.46 square foot double-sided sign in lieu of the required 100-square foot double-sided sign.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 12, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-92-SPHXA (Item 89)

7415 Windsor Mill Road

SEC Rolling and Windsor Mill Road

2nd Election District - 2nd Councilmanic

Legal Owner: Exxon Corporation

HEARING: FRIDAY, OCTOBER 13, 1995 at 2:00 p.m. in Room 106, County Office Building.

Special Hearing to add a convenience store to an existing full service station.

Special Exception for amendments to the previously approved plans in case #81-45-SPH. and #82-45-SPH.

Variance to allow 21,880 square foot site area in lieu of the required 23,828 square foot site area; to allow a 9-foot canopy setback in lieu of the 15-foot canopy setback; to allow a 30-foot building setback in lieu of the required 35-foot building setback; to allow a 20.5-foot pump island setback in lieu of the required 25-foot required pump island setback; to allow a 7.5 foot landscape transition area in lieu of the required 10-foot landscape transition; to allow 10 parking spaces in lieu of the required 14 spaces; to allow two less pump island stacking spaces than are required; and to allow a 101.46 square foot double-sided sign in lieu of the required 100-square foot double-sided sign.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Exxon Corporation
G. Scott Barhight, Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 6, 1995

G. Scott Barhight, Esquire
David K. Gildea
210 W. Pennsylvania Ave., 4th floor
Towson, MD 21204

RE: Item No.: 89
Case No.: 96-92-SPHXA
Petitioner: Exxon Corp.

Dear Mr. Barhight:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 24, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", written over a circular stamp.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

10/10/95




BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: September 7, 1995

FROM: Pat Keller, Director, OP 

SUBJECT: 7415 Windsor Mill Road

INFORMATION:

Item Number: 89

Petitioner: Exxon Corporation

Property Size: _____

Zoning: BL-AS

Requested Action: Special Hearing, Special Exception and Variance

Hearing Date: ____/____/____

SUMMARY OF RECOMMENDATIONS:

Staff has met with representatives of the applicant prior to submission of the plan accompanying the subject petition. The end result of this interaction is a well designed plan which, if approved, will enhance this existing automotive service station site. Therefore, the Office of Planning recommends that the applicant's request be granted.

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Kerns

PK/JL

11/10/95

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Sept. 15, 1995
 Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
 Development Plans Review Division

RE: Zoning Advisory Committee Meeting
 for September 11, 1995
 Item No. 089

The Development Plans Review Division has reviewed the subject zoning item. The so called "landscape transition area" along the eastern property line may require additional buffer content in addition to what is shown on the schematic landscape plan.

RWB:sw



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

9-12-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 089 (CAM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

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PETITION PROBLEMS

#86 --- JLL

1. Need authorization for person signing for contract purchaser.

#88 --- JLL

1. Notary section is incomplete.

#89 --- CAM

1. Need authorization for person signing for legal owner.

#90 --- CAM

1. Need authorization for person signing for contract purchaser.
2. Who signed for attorney?

not to be submitted

WHITEFORD, TAYLOR & PRESTON
L.L.P.

SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515
410 832-2000
FAX 410 832-2015

1025 CONNECTICUT AVENUE, NW
WASHINGTON, D.C. 20036-5405
TELEPHONE 202 659-6800
FAX 202 331-0573

DAVID K. GILDEA
DIRECT NUMBER
410 832-2066

1317 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928
TELEPHONE 703 836-4742
FAX 703 836-0265

13
November 13, 1995

Arnold Jablon, Director
Office of Permits and Development Management
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Exxon Station at 7415 Windsor Mill Road
Case No. 96-92-SPHXA

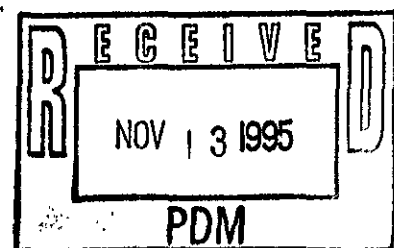
Dear Mr. Jablon:

The Zoning Commissioner granted a special exception for conversion of a full service station to a fuel service station and a convenience store on October 19, 1995 in the above-referenced case. The Zoning Commissioner also granted various variances, including a variance from section 405.4.A.2.A to allow a 9 ft. canopy setback in lieu of the required 15 ft. canopy setback.

It has come to the attention of Exxon that the canopy adopted in the special exception and variance plan extended one foot more than as shown on the plan. As shown on the enclosed red-lined plan, Exxon now is requesting to amend administratively the variance for the 9 ft canopy setback to a 8 ft canopy setback.

I have submitted the red-lined plan to review for their approval to:

1. Mr. E. Avery Harden of Development Engineering;
2. Mr. Rahee J. Famili of Development Engineering; and
3. Mr. Ervin McDaniel of the Office of Planning.



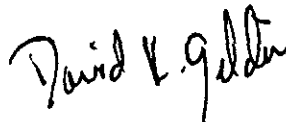
Arnold Jablon, Director
November 6, 1995
Page 2

All three gentlemen have reviewed the redlined plan and have signed off on the changes as indicated.

Exxon Corporation, by and through its undersigned counsel, hereby requests that the proposed 1' addition of the canopy to the previously approved plan at the above-referenced site be approved within the spirit and intent of Case No. 96-92-SPHXA.

Please call me if there are any questions or comments.

Sincerely,



David K. Gildea

GSB:dmk

Enclosure

cc: Mr. Michael J. Specht
Mr. Timothy Whittie
G. Scott Barhight, Esquire

50655

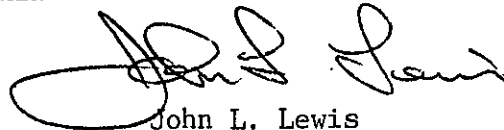
**Speed
Letter**

In the interest of speed and economy, we are replying to your letter with marginal notes. If you need more information, do not hesitate to call or write. Thank you for your interest.



2nd Election District
November 17, 1995

The site existed as a fuel service station prior to January 27, 1994 and the requirements of Section 405.6 (BCZR) have been satisfied. The change in canopy setbacks, as stated in your above correspondence, is approved as being within the limits of Section 405.6 of the BCZR.



John L. Lewis
Planner II
Zoning Review

JLL:scj

c: #96-92-SPHXZ

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

David K. Gledar

Chanchany M.A. Shafu

Tim Whittie

JENNIFER COWARD

Whiteford, Taylor + Preston

710 W. Penn. Ave. Towson, Md. 21204

7415 WINDSOR MILL Rd BALTIMORE 21244

FREDERICK WARD ASSOCIATES, INC.

15 South Main St. Bel Air, MD 21014

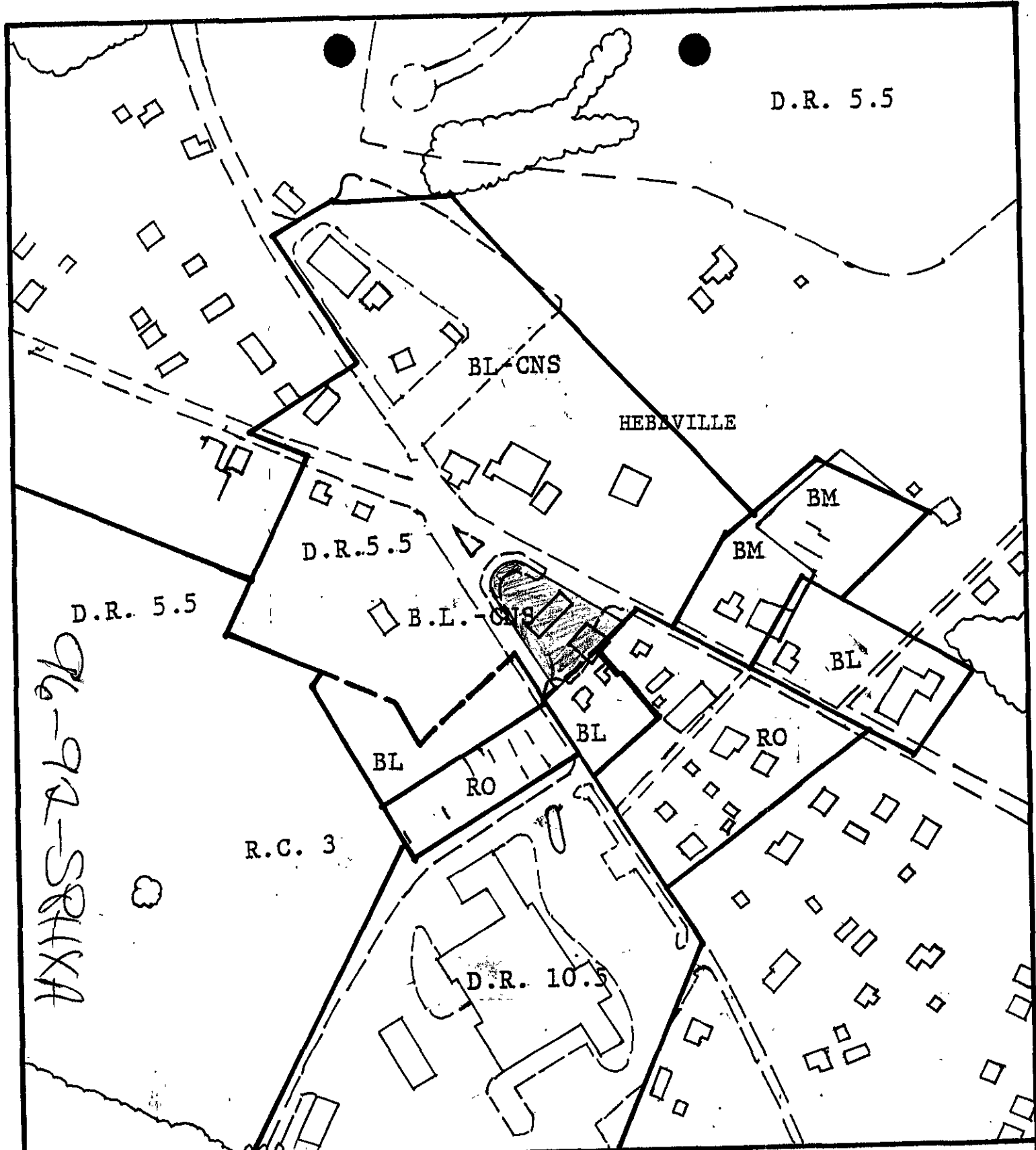
6501 104 LAWES SUITE 700

GREENBELT, MD 20770



Printed with Soybean Ink
on Recycled Paper

MICROFILMED



SCALE 1"=200'	DATE 7/24/95
DR. BY JAB	CH. BY
PLAT NO.	JOB NO. 95088.00


FREDERICK WARD ASSOCIATES, INC.

ENGINEERS-ARCHITECTS-SURVEYORS

5 SOUTH MAIN STREET

BEL AIR, MARYLAND 21014-0727

(410) 838-7900 (410) 879-2090

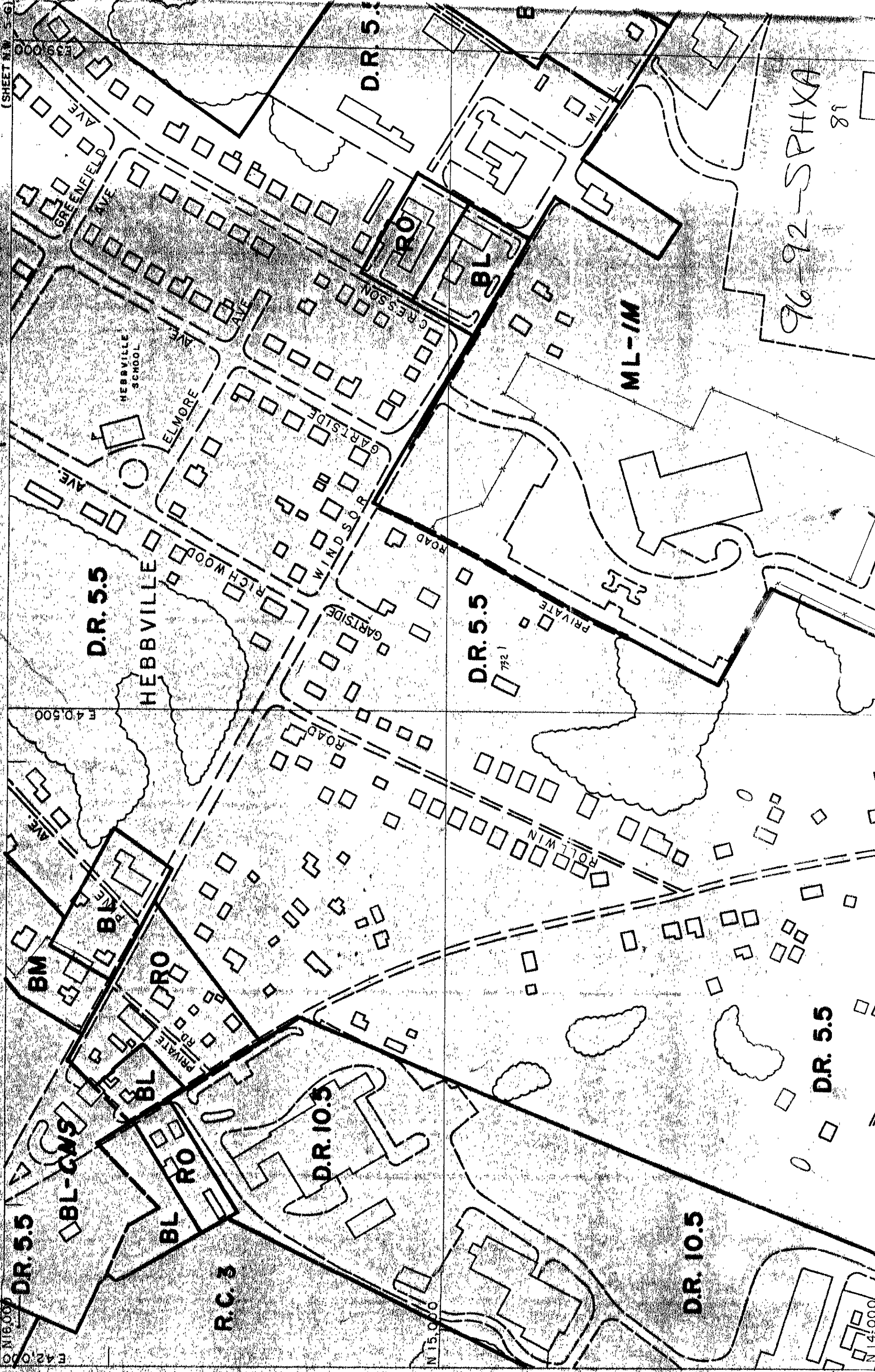


EXON

ZONING
MAP

NW4G

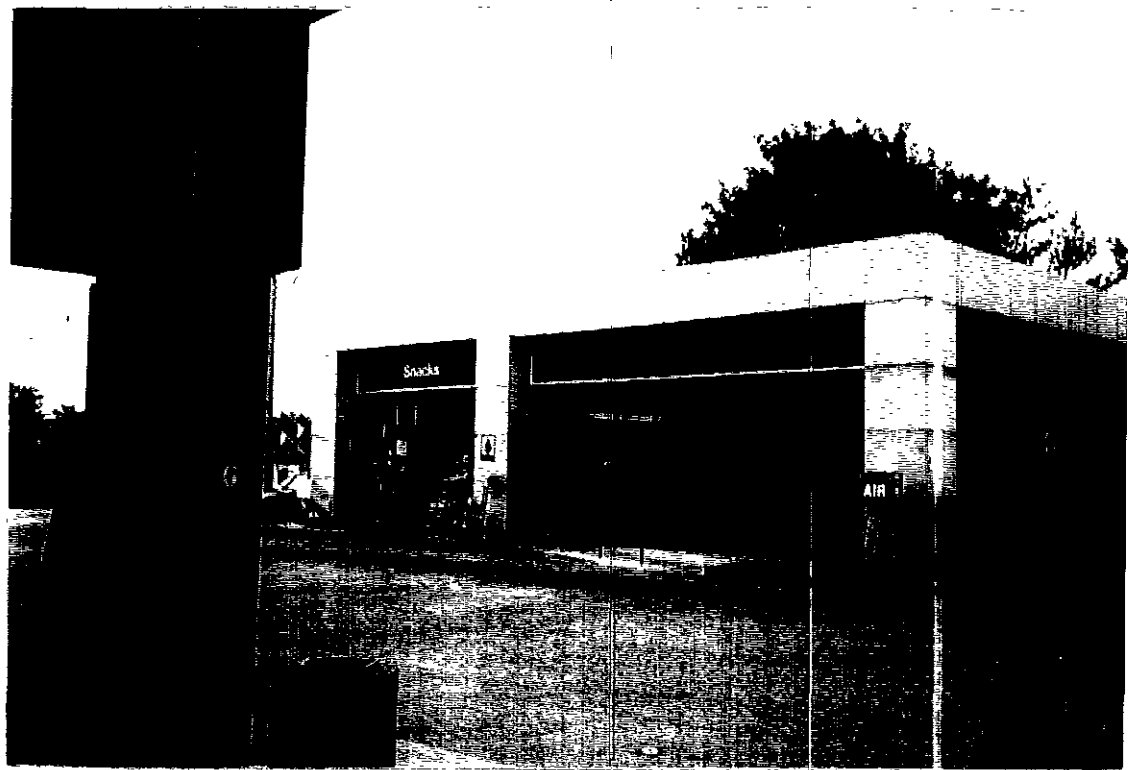
(SHEET NW 5)



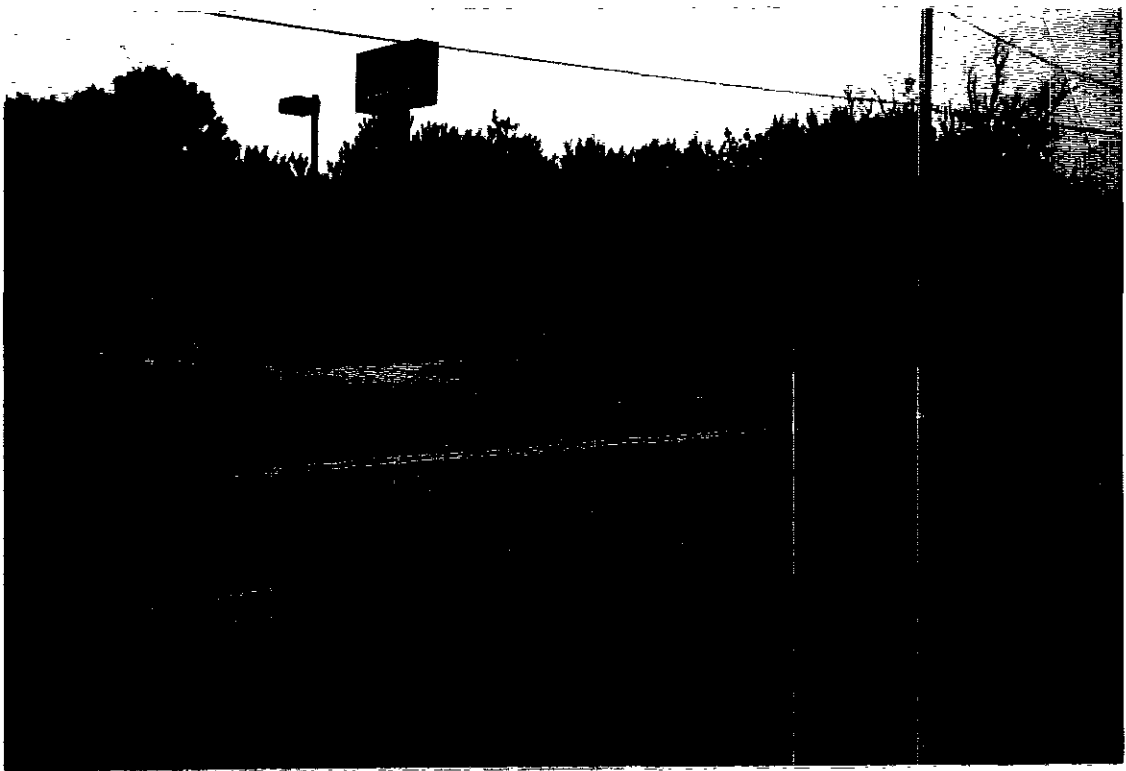
96-92-SPHXA

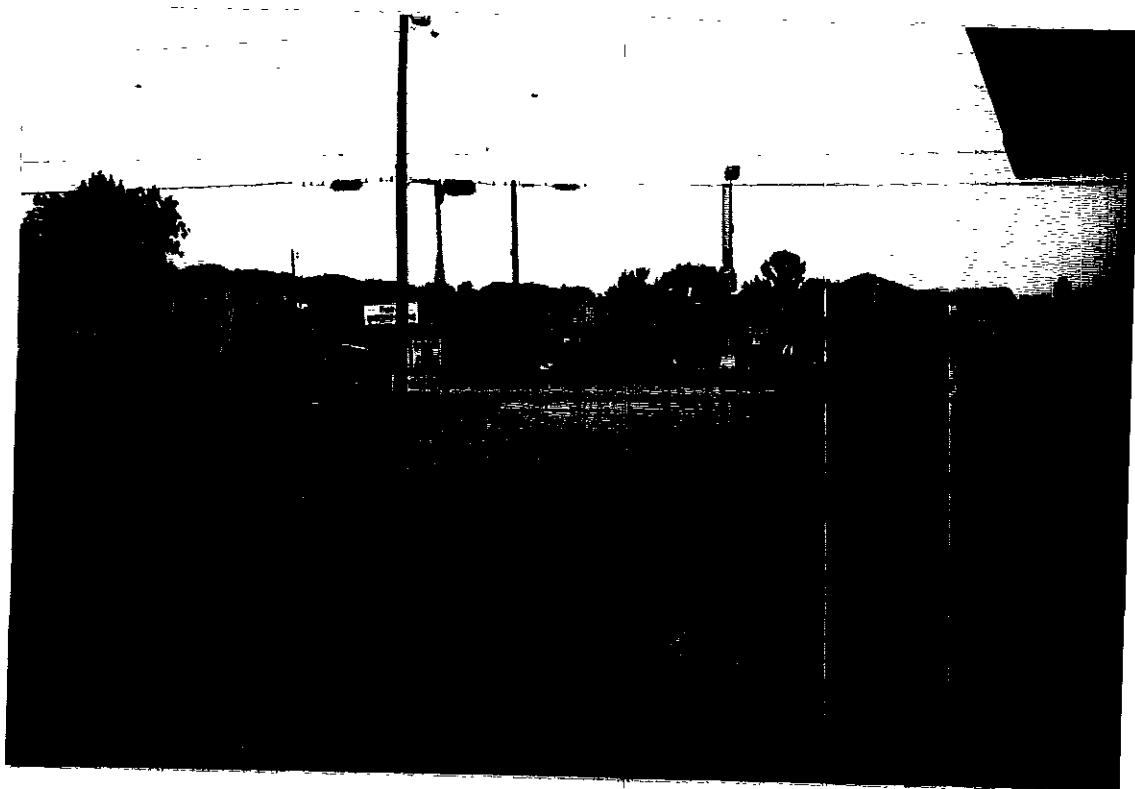
81

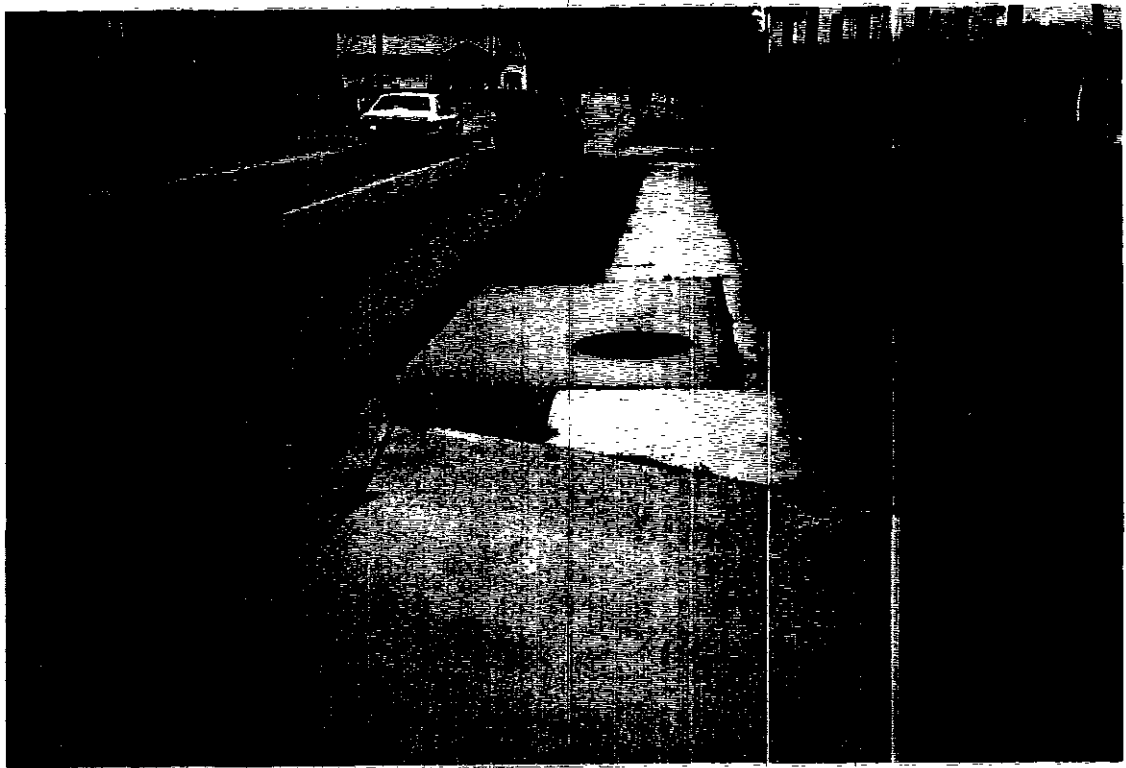
M-4-H

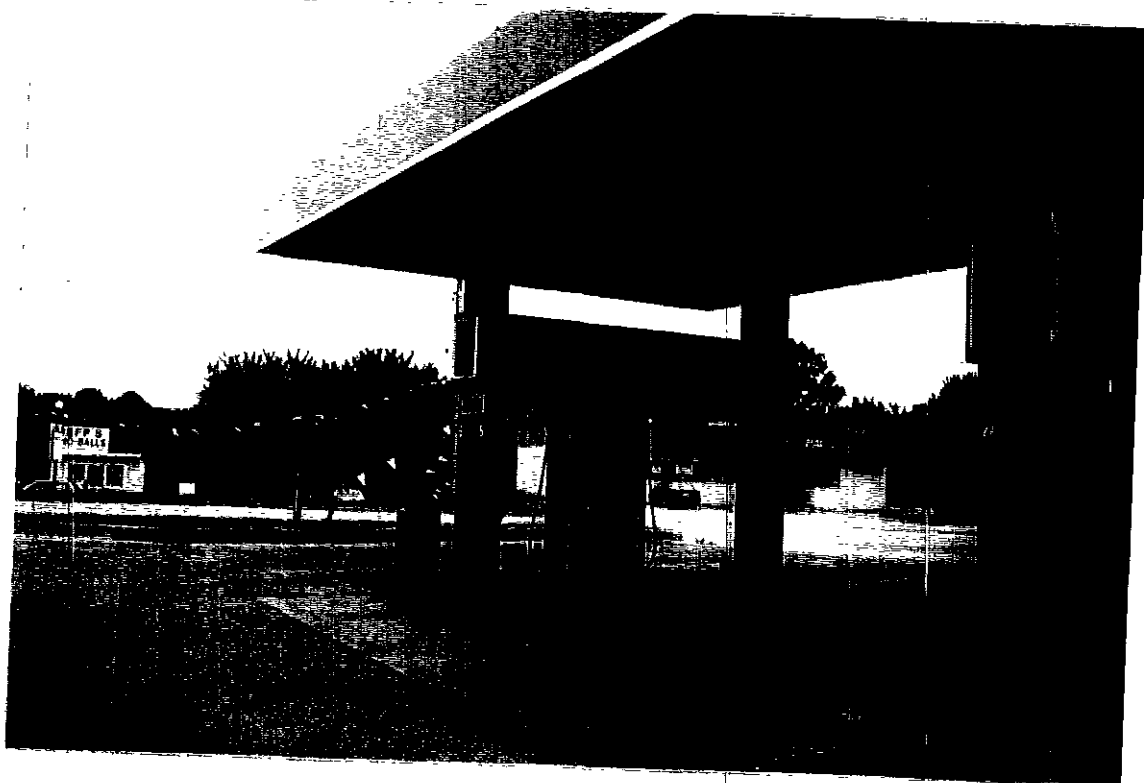




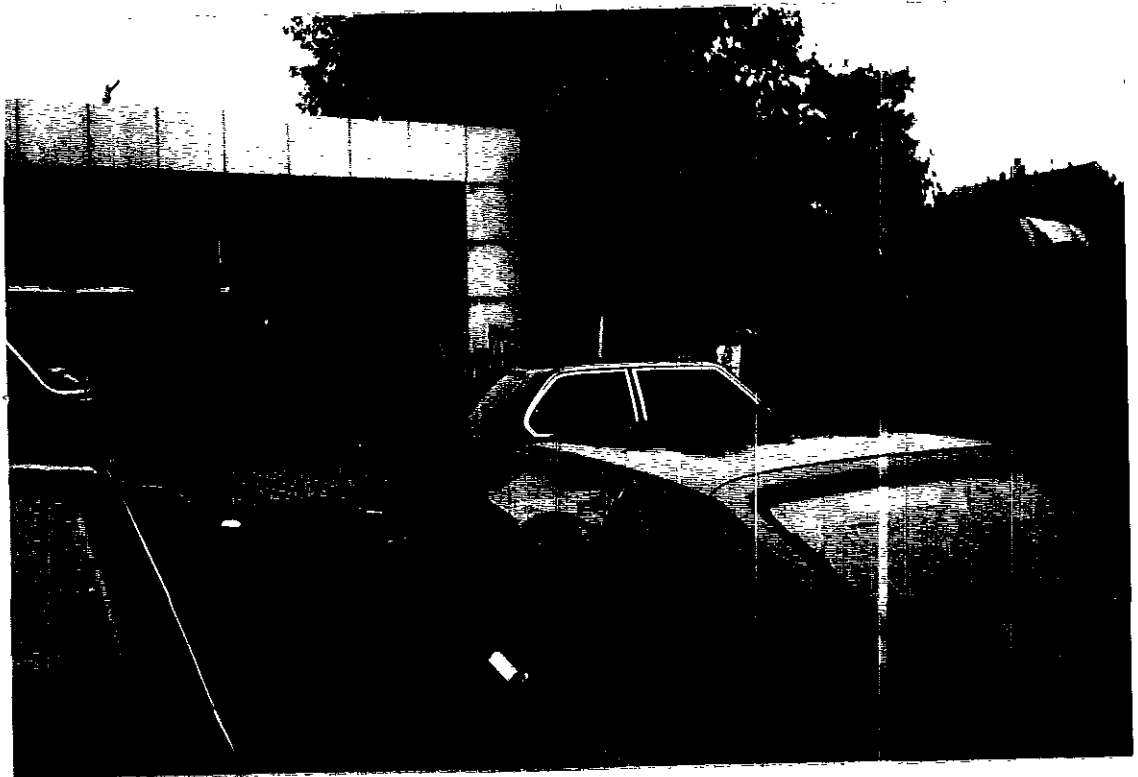




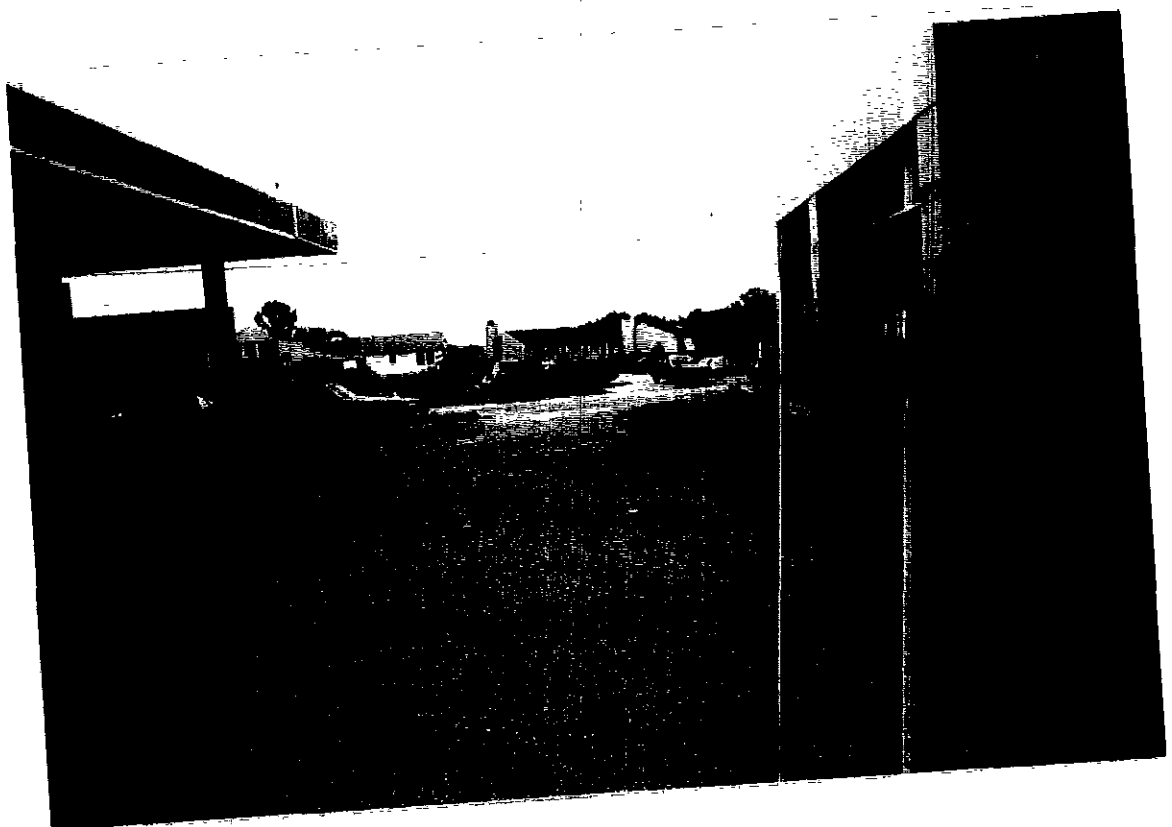












CERTIFICATE OF PUBLICATION

TOWSON, MD., 9/29, 19 95

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/21, 19 95.

THE JEFFERSONIAN,

A. Henrichson
LEGAL AD. - TOWSON

of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #96-92-SPHX
(Item 89)
7415 Windsor Mill Road
SEC. Rolling and Windsor Mill Road

2nd Election District
2nd Councilmanic
Legal Owner(s):
Exxon Corp.
Hearing: Friday,
October 13, 1995 at 2:00 p.m.
in Rm. 106, County Office Building.

Special Hearing to add a convenience store to an existing full service station. Special Exception for amendments to the previously approved plans in case #81-45-SPH and #82-45-SPH. Variance to allow 21,880 square foot site area in lieu of the required 23,828 square foot site area; to allow a 9-foot canopy setback in lieu of the 15-foot canopy setback; to allow a 30-foot building setback in lieu of the required 35-foot building setback.

allow two parking spaces in lieu of the required 14 spaces; to allow two less pump island stacking spaces than are required; and to allow a 101.46 square foot double-sided sign in lieu of the required 100 square foot double-sided sign.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please Call 887-3353.

(2) For information concerning the file and/or hearing, please call 887-3351.
9/21/95 Sept. 21

96-92-SPHXA

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 2nd

Date of Posting 9/29/95

Posted for: Special Hearing - Special Exception - Variance

Petitioner: Exxon Corp

Location of property: 7415 Windsor Mill Rd.

Location of Signs: Facing road way on property being zoned

Remarks:

Posted by

M. Kelly
Signature

Date of return:

10/6/95

Number of Signs:

1

MICROFILMED



IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
SPECIAL EXCEPTION & ZONING VARIANCE * ZONING COMMISSIONER
SEC Rolling and Windsor Mill Rd. * OF BALTIMORE COUNTY
7415 Windsor Mill Road *
2nd Election District * Case No. 96-92-SPHXA
2nd Councilmanic District *
Exxon Corporation *
Petitioner *****

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Hearing, Special Exception and Zoning Variance all for the property located at 7415 Windsor Mill Road. The Petitions are filed by the Exxon Corporation, property owner. Special Exception relief is requested for approval of an amendment of the previously approved site plans in cases Nos. 81-45-SPH and 82-45-SPH. Special Hearing relief is requested to add a convenience store to an existing fuel service station. Numerous variances are requested. These are mostly sought to legitimize existing conditions. They are:

1. Section 405.4.A.1 of the BCZR to allow a 21,880 sq. ft. site area in lieu of the required 23,828 sq. ft. site area;
2. Section 405.4.A.2.A to allow a 9 ft. canopy setback in lieu of the 15 ft. canopy setback;
3. Section 405.4.A.2.A to allow a 30 ft. building setback in lieu of the required 35 ft. building setback;
4. Section 405.4.A.2.A to allow a 20.5 ft. pump island setback in lieu of the required 25 ft. required pump island setback;
5. Section 405.4.A.2.A to allow a 7.5 ft. landscape transition area in lieu of the required 10 ft. landscape transition;
6. Section 405.4.A.2.A to allow 10 parking spaces, in lieu of the required 14 spaces;

7. Section 405.4.A.3.C.1 to allow two less pump island stacking spaces than are required;
8. Section 413.2(f) to allow a 101.46 sq. ft. doubled sided sign in lieu of the required 100 sq. ft. doubled sided sign.

All of the above are in accordance with Petitioner's Exhibit No. 1, the site plan to accompany the Petitions.

Appearing at the public hearing held for this case was Jennifer Coward on behalf of the Exxon Corporation, the Petitioner/property owner. Also present was Tim Whittle, from Frederick Ward and Associates, Inc., Consultants. Mr. Whittle assisted in the preparation of the site plan. Also present was Chaudhary M.A. Shafri, the operator of the Exxon dealership at this location. There were no Protestants or other interested persons present. The Petitioner was represented by David K. Gildea, Esquire. There were no Protestants or other interested persons present.

The examination of the site plan discloses that the subject property is zoned B.L.-C.N.S. and is approximately 21,880 sq. ft. in area. The subject property is a triangularly shaped lot which is bordered by Windsor Mill Road to the north and east and Rolling Road to the south and west. The property is located in a largely commercial locale. Numerous other businesses exist along Windsor Mill Road and Rolling Road within close proximity to the property. These include a High's Convenience Store, a drycleaners, a 7-11 Convenience Store and several other retail uses. Residential communities exist not far away to the interior of the commercial corridors.

Ms. Coward testified that the subject property has been utilized as an Exxon Service Station for at least 15 years. Presently, the site has a number of pump islands and a three bay service garage building. Numerous photographs of the site were presented which depict current conditions. In order to meet changing market conditions, the location will be refurbished

-2-

and upgraded. The bays will be eliminated and the repair business no longer offered. Although fuel will continue to be dispensed from the site, the building will be remodeled so as to house a Tiger Mart Convenience Store. This Zoning Commissioner has recently entertained other cases by large oil companies and convenience store chains as the changing market conditions in this industry. These collective businesses are now offering a variety of convenience items from the same location, including fuel, food and household goods.

Mr. Shafri, the dealer who operates this business also appeared and testified. He described the business and proposed changes. He noted that the site would be operated on a 24 hour per day basis and would have from 1 to 3 employees on the property at a given time.

Also testifying was Tim Whittle, the consultant who assisted in the preparation of the site plan. He described in detail the proposed renovations to the property and also the standards for the zoning relief sought. As to the zoning variance, the required test is set forth in Section 307.1 of the BCZR. As to the special exception, relief is requested pursuant to Sections 405 and 502.1 of the BCZR.

A number of agencies of Baltimore County have also reviewed and commented on the request. The Office of Planning and Zoning supports the request and indicates that renovation of the site will enhance the existing automotive service station. That office recommends approval of the zoning relief. Other agencies neither object nor support the proposal.

Based on the uncontradicted testimony and evidence presented, I am persuaded to grant the relief requested. As to the Petitions for Special Hearing and Exception, it is clear that same will not detrimentally affect the health, safety or general welfare of the community. To the contrary, the proposal represents a significant opportunity to rehabilitate this use.

-3-

I find that the tests and standards set forth in Sections 405 and 502.1 of the BCZR have been satisfied.

As to the variances, they should also be approved. In this regard, it is noted that most of the variances are driven by existing conditions. That is, no new construction is planned on site and the variances are sought only to legitimize the existing buildings and other improvements on the property. The unique character of the site is its peculiar shape and location at the intersection of Rolling Road and Windsor Mill Road. This shape causes a practical difficulty upon the Petitioner and prevents strict adherence to the Zoning Regulations for which the variances are sought. Moreover, it is clear that the relief, if granted, will be consistent with the spirit and intent of the regulations and will not detrimentally affect the surrounding locale.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

IT IS THEREFORE ORDERED, by the Zoning Commissioner for Baltimore County, this 19th day of October, 1996, that, pursuant to the Petition for Special Exception, approval of an amendment of the previously approved site plans in case Nos. 81-45-SPH and 82-45-SPH, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing, approval to add a convenience store to an existing fuel service station, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that variances from Section 405.4.A.1 of the BCZR to allow a 21,880 sq. ft. site area in lieu of the required 23,828 sq. ft. site area; Section 405.4.A.2.A to allow a 9 ft. canopy setback in lieu of the 15 ft. canopy setback; Section 405.4.A.2.A to allow a 30 ft. building setback in lieu of the required 35 ft. building setback; Section

-4-

405.4.A.2.A to allow a 20.5 ft. pump island setback in lieu of the required 25 ft. required pump island setback; Section 405.4.A.2.A to allow a 7.5 ft. landscape transition area in lieu of the required 10 ft. landscape transition; Section 405.4.A.2.A to allow 10 parking spaces, in lieu of the required 14 spaces; Section 405.4.A.3.C.1 to allow two less pump island stacking spaces than are required; and from Section 413.2(f) to allow a 101.46 sq. ft. doubled sided sign in lieu of the required 100 sq. ft. doubled sided sign, be and is hereby GRANTED, subject, however to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall submit for approval by the County's Landscape Architect, a landscape plan which is substantially in conformance with that plan submitted at the hearing as Petitioner's Exhibit No. 1.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING
Date 10/18/96
By M. Shafri

-5-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 18, 1995

G. Scott Barhight, Esquire
David K. Gildea, Esquire
Whiteford, Taylor and Preston
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Petitions for Special Exception, Special Hearing and Variances
Case No. 96-92-SPHXA
Exxon Corporation, Petitioner

Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Exception, Special Hearing and Variances have been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmn
att.
cc: Ms. Jennifer Coward, Exxon Corporation
Suite 700, 6301 Ivy Lane
Greenbelt, Maryland 20770



Petition for Special Hearing to the Zoning Commissioner of Baltimore County

for the property located at 7415 Windsor Mill Road
which is presently zoned BL-AS

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

To add a convenience store to an existing full service station

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor

N/A

(Type or Print Name)

Signature

Address

City

State

Zipcode

Address for Petitioner

G. Scott Barhight

David K. Gildea

(Type or Print Name)

Signature

Address

City

State

Zipcode

Address

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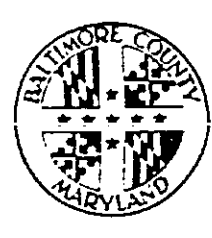
City

State

Zipcode

Address

City



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7415 Windsor Mill Road

which is presently zoned BU-AS

96-92-SPHXA

The undersigned, legal owner(s) of the property, do hereby petition for a Variance from Section(s) of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

SEE ATTACHMENT A.

TO BE PRESENTED AT HEARING.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchase/Lease:
Type of Petition:
Signature:
Address:
City: State: Zipcode:

Signature for Petitioner:
Type of Petitioner:
Signature:
Address:
City: State: Zipcode:

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.)
Large Comments:
Exxon Corporation
Type of Petitioner:
Signature:
Michael J. Specht (Attorney-in-Fact)
Type of Petitioner:

Signature:
6301 Ivy Lane, Suite 700 (301) 513-2771
Greenbelt, MD 20770
City: State: Zipcode:
Name: Address and phone number of legal owner, contract purchaser or representative to be contacted:
G. Scott Barhight
David K. Gildes
Name: Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue, 4th Fl.
TOWSON, MD 21204 (410) 832-2000

ESTIMATED LENGTH OF HEARING:
unavailable for hearing
the following date: Next Two Months
ALL OTHER DATE
REVIEWED BY: DATE:

ATTACHMENT A

- 96-92-SPHXA
- Section 405.4A.1 -- to allow a 21,880 sq. ft. site area in lieu of the required 23,828 sq. ft. site area.
 - Section 405.4A.2.A -- to allow a 9' canopy set-back in lieu of the 15' canopy set-back.
 - Section 405.4A.2.A -- to allow a 30' building set-back in lieu of the required 35' building setback.
 - Section 405.4A.2.A -- to allow a 20.5' pump island set-back in lieu of the required 25' required pump island set-back.
 - Section 405.4A.2.A -- to allow a 7.5' landscape transition area in lieu of the required 10' landscape transition.
 - Section 405.4A.2.A -- to allow 10 parking spaces, in lieu of the required 14 spaces.
 - Section 405.4A.3.C.1 -- to allow two less pump island stacking spaces than are required.
 - Section 413.2(f) -- to allow a 101.46 sq. ft. double-sided sign in lieu of the required 100 sq. ft. double-sided sign.



Frederick Ward Associates, Inc.

ZONING DESCRIPTION

7415 Windsor Mill Road
Second Election District
Baltimore County, Maryland

96-92-SPHXA

BEGINNING from the same at a point on the northeasterly right-of-way line of Rolling Road at the southwest end of an intersection fillet connecting the northeasterly right-of-way of Rolling Road with the southerly right-of-way line of Windsor Mill Road. Thence binding on said fillet

- 1) by a curve to the right in a northeasterly direction of radius 23.00 feet an arc distance of 58.35 feet and subtended by a chord North 44°31'39" East 43.91 feet to a point compound curve
- 2) by a non-tangent curve to the right in a southeasterly direction of radius 3789.72 feet an arc distance of 162.19 feet and subtended by a chord South 61°34'36" East 162.90 feet to a point of tangency
- 3) South 60°20'51" East 50.84 feet. Thence leaving Windsor Mill Road
- 4) South 43°37'00" West 161.54 to intersect the northeasterly right-of-way of Rolling Road. Thence binding thereon
- 5) by a curve to the right in a northwesterly direction of radius 4553.66 feet an arc distance of 216.53 feet and subtended by a chord North 29°33'28" West 216.51 feet to the point of beginning hereof

CONTAINING 22145 square feet (0.508 acre) of land, more or less



9/24/95

P.O. Box 3635 7900 Sudley Road, Suite 711 Manassas, Virginia 22109-3635 (703) 881-2271 / 361-7778 Fax (703) 361-2117

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 2nd Date of Posting: 9/29/95
Posted for: Exxon Corp.
Petitioner: Exxon Corp.
Location of property: 7415 Windsor Mill Rd.
Location of Sign: Where most are placed by sign
Remarks:
Posted by: W. Carl Richards, Jr. Date of return: 9/29/95
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD, 9/29, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/21, 1995.

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Case: 96-92-SPHXA
Item: 89
SIC Rolling and Windsor Mill Road
2nd Election District - 2nd Councilmember
Legal Owner: Exxon Corporation
Hearing: Friday, October 13, 1995 at 2:00 p.m. in Room 106, County Office Building.
Special Hearing to add a convenience store to an existing full service station. Special Exception for amendments to the previously approved plans in case 881-45-SPH and 882-45-SPH. Variance to allow 21,880 square foot site area in lieu of the required 23,828 square foot site area; to allow a 9-foot canopy setback in lieu of the required 15-foot canopy setback; to allow a 30-foot building setback in lieu of the required 35-foot building setback; to allow a 20.5-foot pump island setback in lieu of the required 25-foot required pump island setback; to allow a 7.5 foot landscape transition area in lieu of the required 10-foot landscape transition; to allow 10 parking spaces in lieu of the required 14 spaces; to allow two less pump island stacking spaces than are required; and to allow a 101.46 square foot double-sided sign in lieu of the required 100-square foot double-sided sign.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 24/95 ACCOUNT: R-001-6150

96-92-SPHXA

RECEIVED FROM: Whiteford Taylor & Preston

FOR: SPHXA - 7415 Windsor Mill Rd

CEXON 340340125MCHRC 1685.00

BA 0009104AM08-25-95

VALIDATION OR SIGNATURE OF CASHIER

CAM

TO: PUTNEY PUBLISHING COMPANY

September 21, 1995 Issue - Jeffersonian

Please forward billing to:

G. Scott Barhight, Esq.

210 W. Pennsylvania Avenue

TOWSON MD 21204

832-2066

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-92-SPHXA (Item 89)
7415 Windsor Mill Road
SIC Rolling and Windsor Mill Road
2nd Election District - 2nd Councilmember
Legal Owner: Exxon Corporation
HEARING: FRIDAY, OCTOBER 13, 1995 at 2:00 p.m. in Room 106, County Office Building.

Special Hearing to add a convenience store to an existing full service station. Special Exception for amendments to the previously approved plans in case 881-45-SPH and 882-45-SPH. Variance to allow 21,880 square foot site area in lieu of the required 23,828 square foot site area; to allow a 9-foot canopy setback in lieu of the required 15-foot canopy setback; to allow a 30-foot building setback in lieu of the required 35-foot building setback; to allow a 20.5-foot pump island setback in lieu of the required 25-foot required pump island setback; to allow a 7.5 foot landscape transition area in lieu of the required 10-foot landscape transition; to allow 10 parking spaces in lieu of the required 14 spaces; to allow two less pump island stacking spaces than are required; and to allow a 101.46 square foot double-sided sign in lieu of the required 100-square foot double-sided sign.

LAWRENCE E. SCHWAB

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARING IS NON-RECORDABLE ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3353.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 12, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 96-92-SPHXA (Item 89)
7415 Windsor Mill Road
SIC Rolling and Windsor Mill Road
2nd Election District - 2nd Councilmember
Legal Owner: Exxon Corporation
HEARING: FRIDAY, OCTOBER 13, 1995 at 2:00 p.m. in Room 106, County Office Building.

Special Hearing to add a convenience store to an existing full service station. Special Exception for amendments to the previously approved plans in case 881-45-SPH and 882-45-SPH. Variance to allow 21,880 square foot site area in lieu of the required 23,828 square foot site area; to allow a 9-foot canopy setback in lieu of the required 15-foot canopy setback; to allow a 30-foot building setback in lieu of the required 35-foot building setback; to allow a 20.5-foot pump island setback in lieu of the required 25-foot required pump island setback; to allow a 7.5 foot landscape transition area in lieu of the required 10-foot landscape transition; to allow 10 parking spaces in lieu of the required 14 spaces; to allow two less pump island stacking spaces than are required; and to allow a 101.46 square foot double-sided sign in lieu of the required 100-square foot double-sided sign.

Carl Johnson

Arnold Jablon

Director

cc: Exxon Corporation

G. Scott Barhight, Esq.

NOTES: (1) HEARING IS NON-RECORDABLE ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3353.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 6, 1995

G. Scott Barhight, Esquire
David K. Gildes
210 W. Pennsylvania Ave., 4th floor
TOWSON, MD 21204

RE: Item No.: 89
Case No.: 96-92-SPHXA
Petitioner: Exxon Corp.

Dear Mr. Barhight:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 24, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.

Zoning Supervisor

WCR/jw

Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM
FROM: Pat Keller, Director, OP
SUBJECT: 7415 Windsor Mill Road

DATE: September 7, 1995

INFORMATION:

Item Number: 89
Petitioner: Exxon Corporation
Property Size: _____
Zoning: BL-AS
Requested Action: Special Hearing, Special Exception and Variance
Hearing Date: _____

SUMMARY OF RECOMMENDATIONS:

Staff has met with representatives of the applicant prior to submission of the plan accompanying the subject petition. The end result of this interaction is a well designed plan which, if approved, will enhance this existing automotive service station site. Therefore, the Office of Planning recommends that the applicant's request be granted.

Prepared by: *Jeffrey W. Long*

Division Chief: *Carol L. Kinn*

PK/JL

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: Sept. 15, 1995

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for September 11, 1995
Item No. 089

The Development Plans Review Division has reviewed the subject zoning item. The so called "landscape transition area" along the eastern property line may require additional buffer content in addition to what is shown on the schematic landscape plan.

RWB:sw



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

9-12-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 089 (CAM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for impaired Hearing or Speech
1-800-35-2255 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

David K. Geda
Chauchang M. A. Shafiq
Tim White
WILLIAM COVARD

Whiteford, Taylor & Preston
210 West Pennsylvania Avenue
Towson, Maryland 21204-4515
7415 Windsor Mill Rd Baltimore
Frederick Ward Associates, Inc.
15 South Main St. Baltimore, MD 2104
6501 Ivy Lane Suite 700
Springfield MD 20770

WHITEFORD, TAYLOR & PRESTON
L.L.P.

210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4515
410 832-2000
FAX 410 832-2015

1024 CONSTITUTION AVENUE NW
WASHINGTON, D.C. 20045
TELEPHONE 202-462-0400
FAX 202-531-0574

DAVID K. GILDEA
DIRECTOR OF PERMITS
410 832-2000

November 8, 1995

Arnold Jablon, Director
Office of Permits and Development Management
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Exxon Station at 7415 Windsor Mill Road
Case No. 96-92-SPHXA

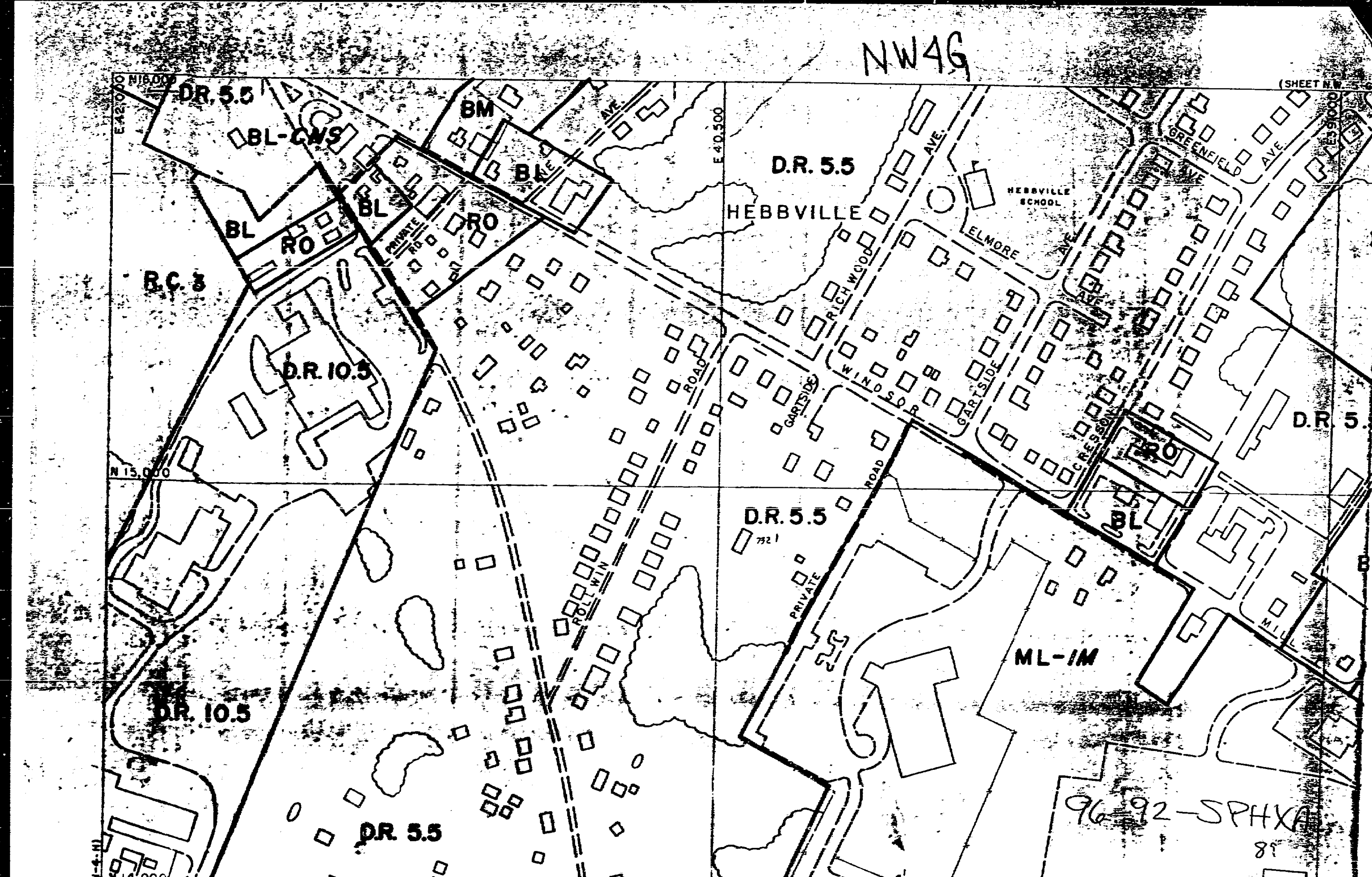
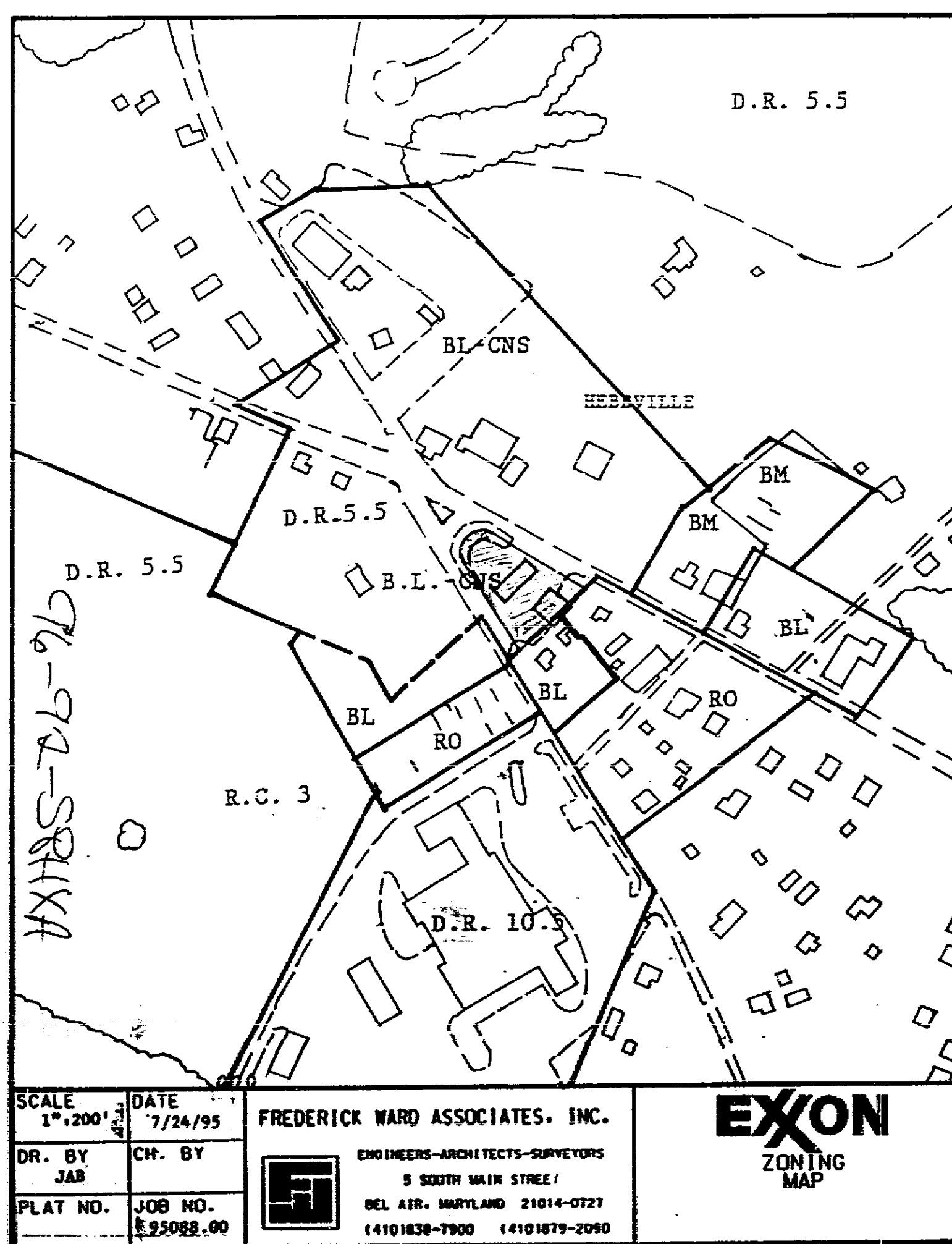
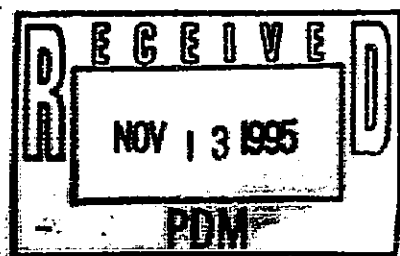
Dear Mr. Jablon:

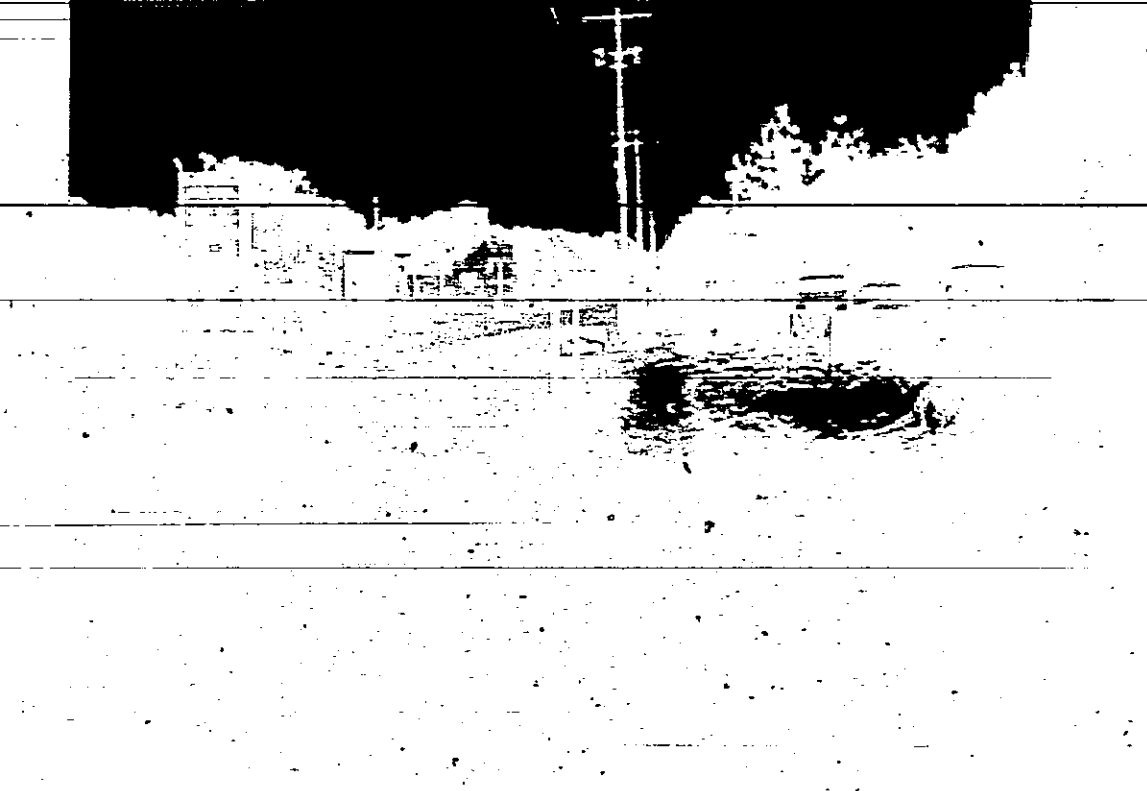
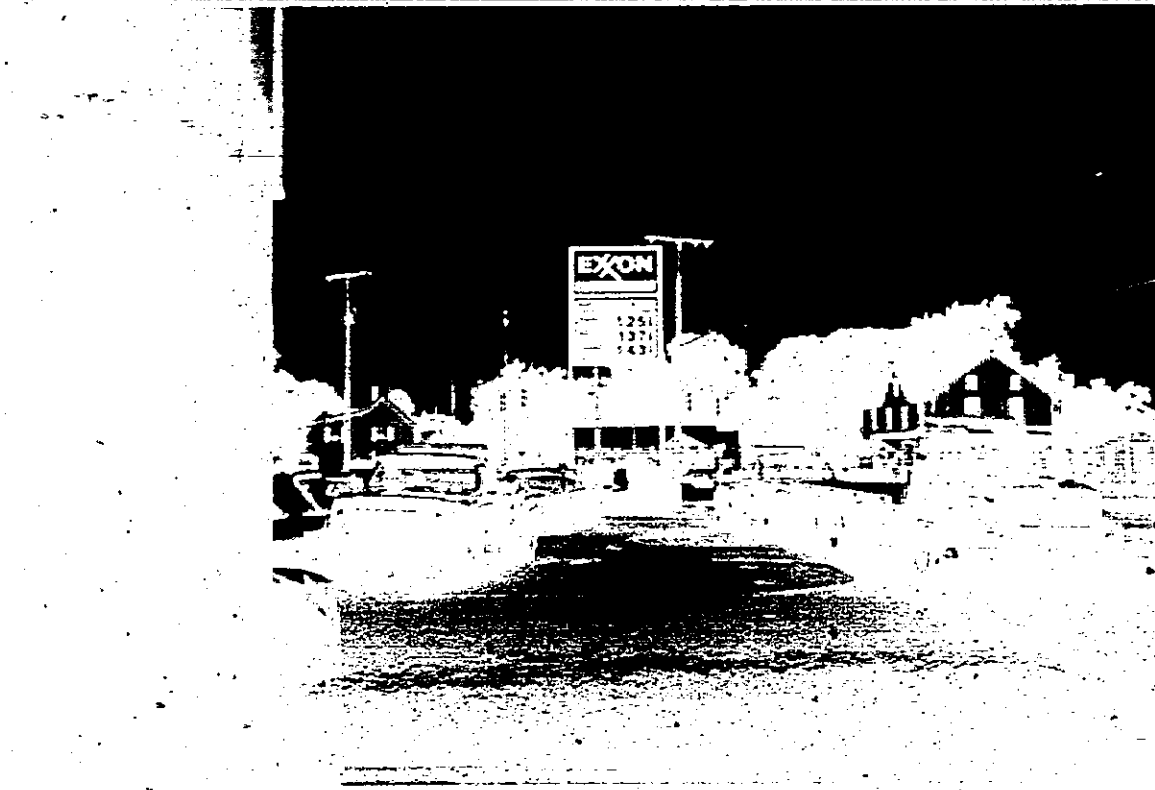
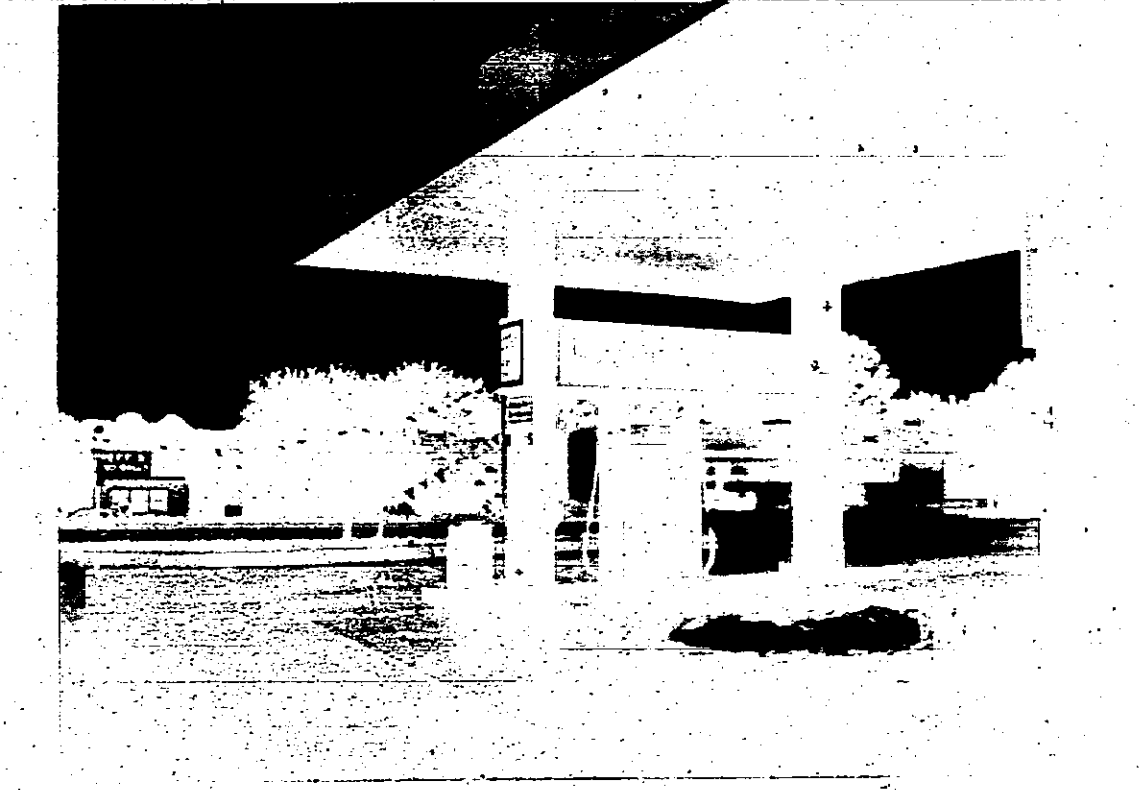
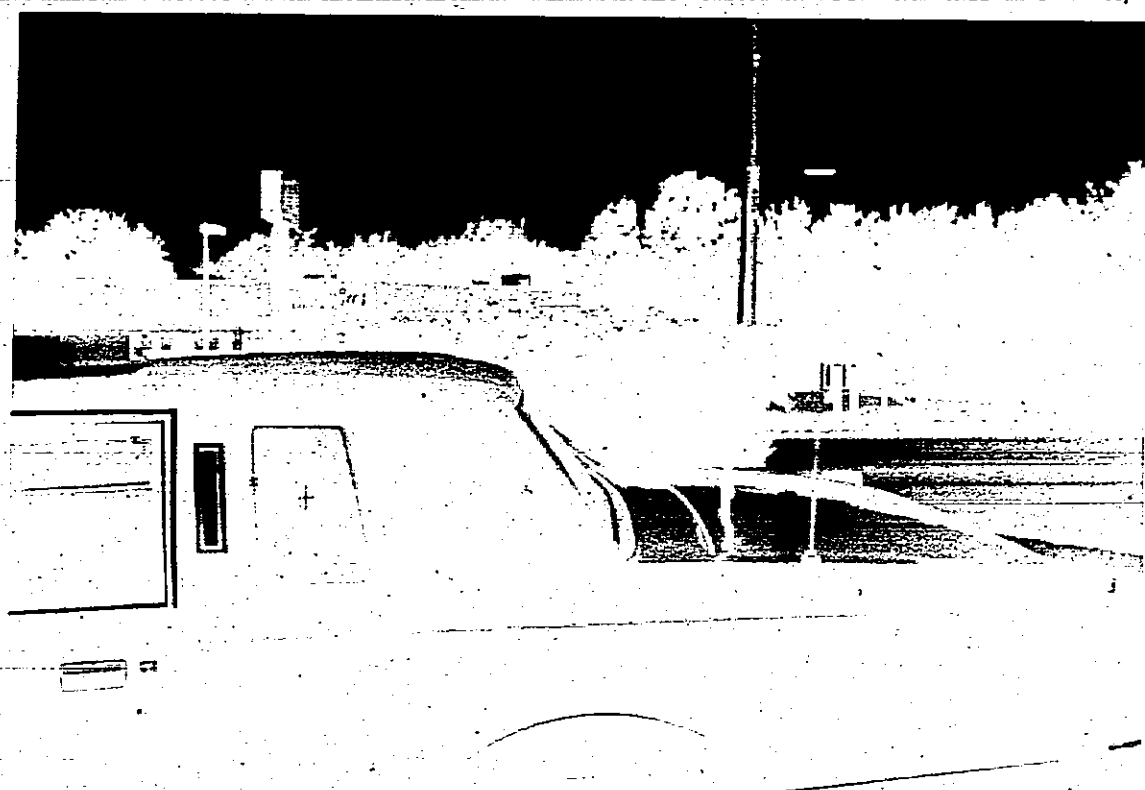
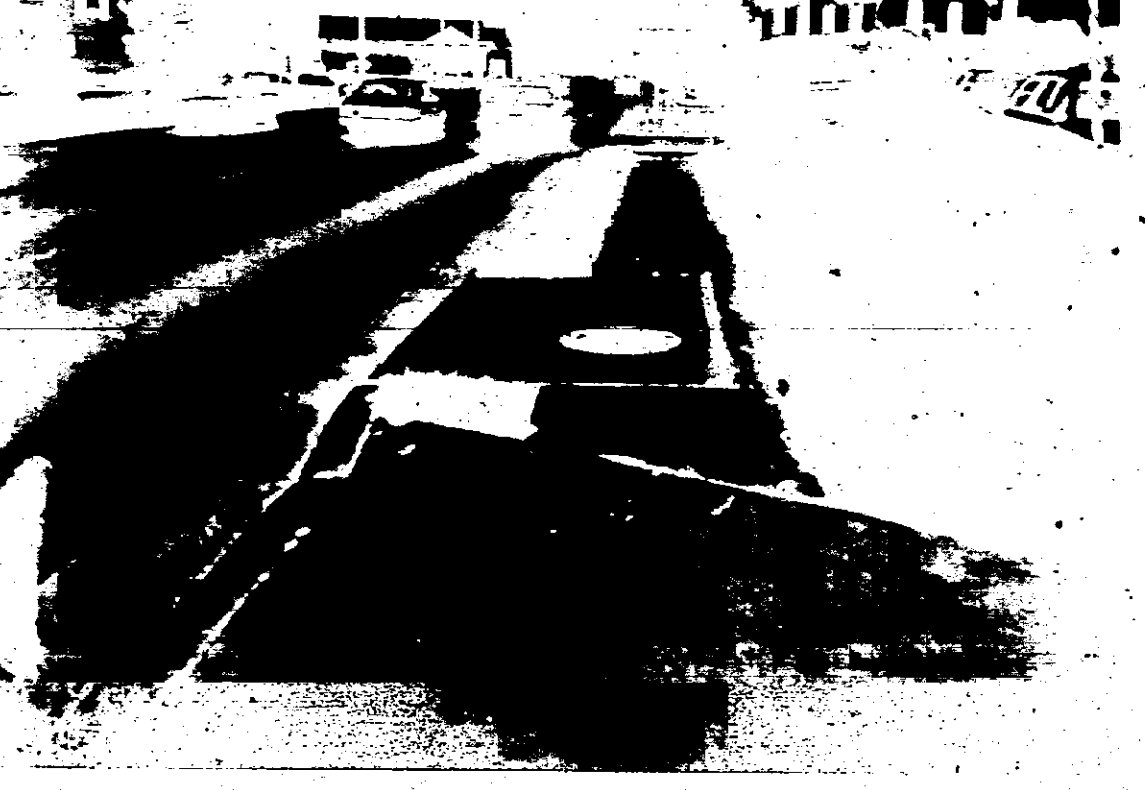
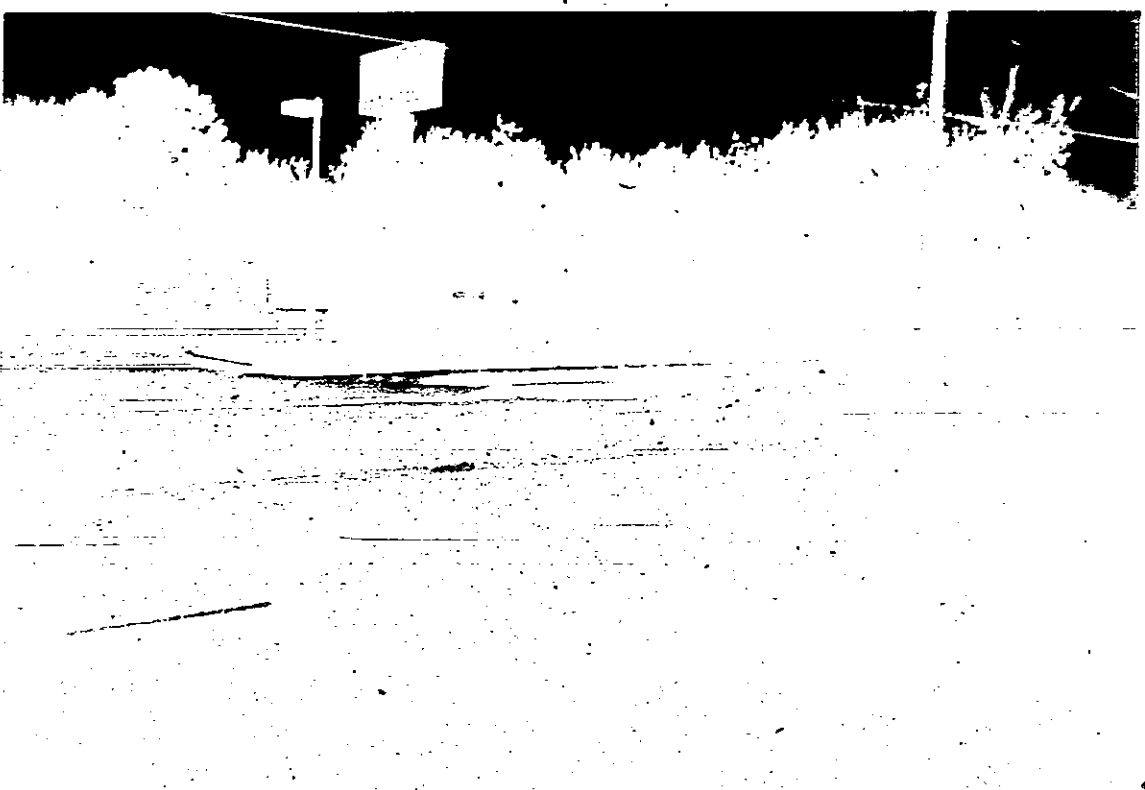
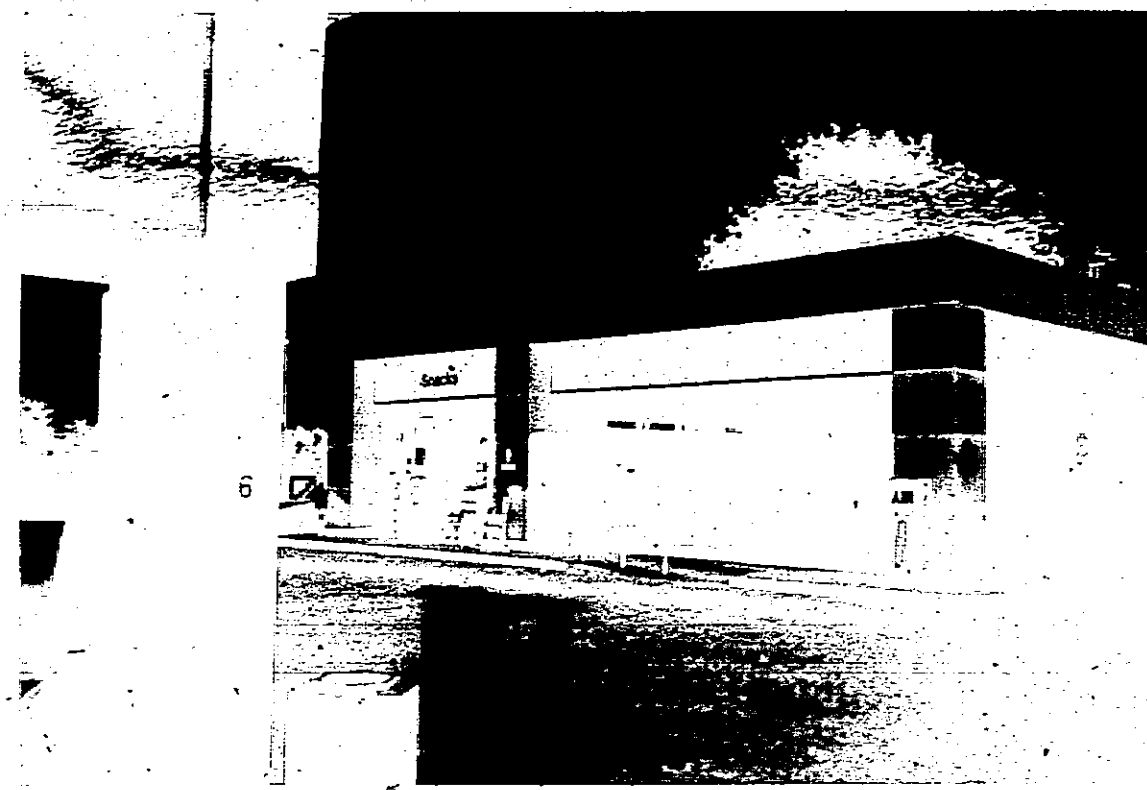
The Zoning Commissioner granted a special exception for conversion of a full service station to a fuel service station and a convenience store on October 19, 1995 in the above-referenced case. The Zoning Commissioner also granted various variances, including a variance from section 405.4.A.2.A to allow a 9 ft. canopy setback in lieu of the required 15 ft. canopy setback.

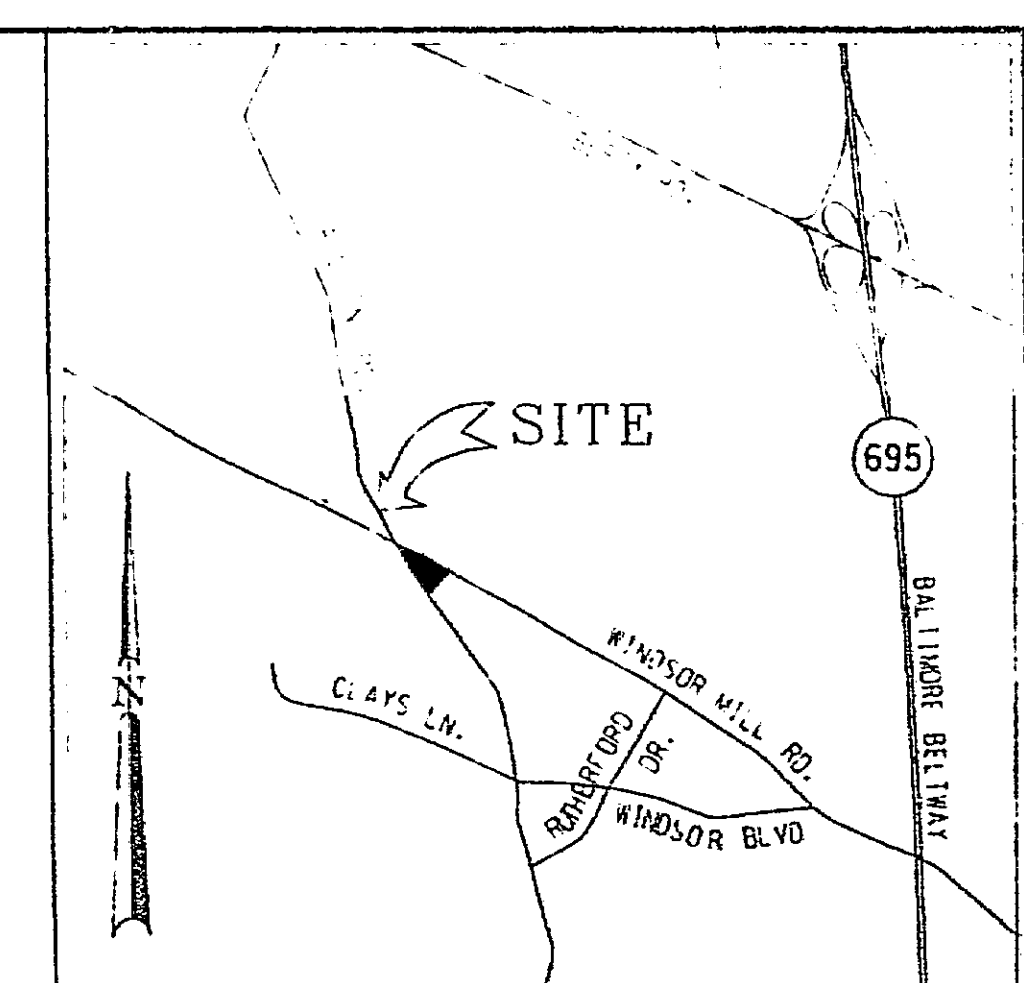
It has come to the attention of Exxon that the canopy adopted in the special exception and variance plan extended one foot more than as shown on the plan. As shown on the enclosed red-lined plan, Exxon now is requesting to amend administratively the variance for the 9 ft. canopy setback to a 8 ft canopy setback.

I have submitted the red-lined plan to review for their approval to:

1. Mr. E. Avery Harden of Development Engineering;
2. Mr. Rahee J. Famili of Development Engineering; and
3. Mr. Ervin McDaniel of the Office of Planning.







VICINITY MAP
SCALE: 1" = 2000'

EXHIBIT 26-29

SITE INFORMATION

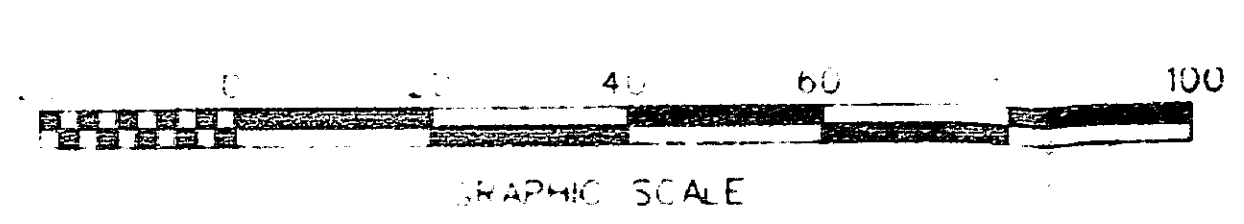
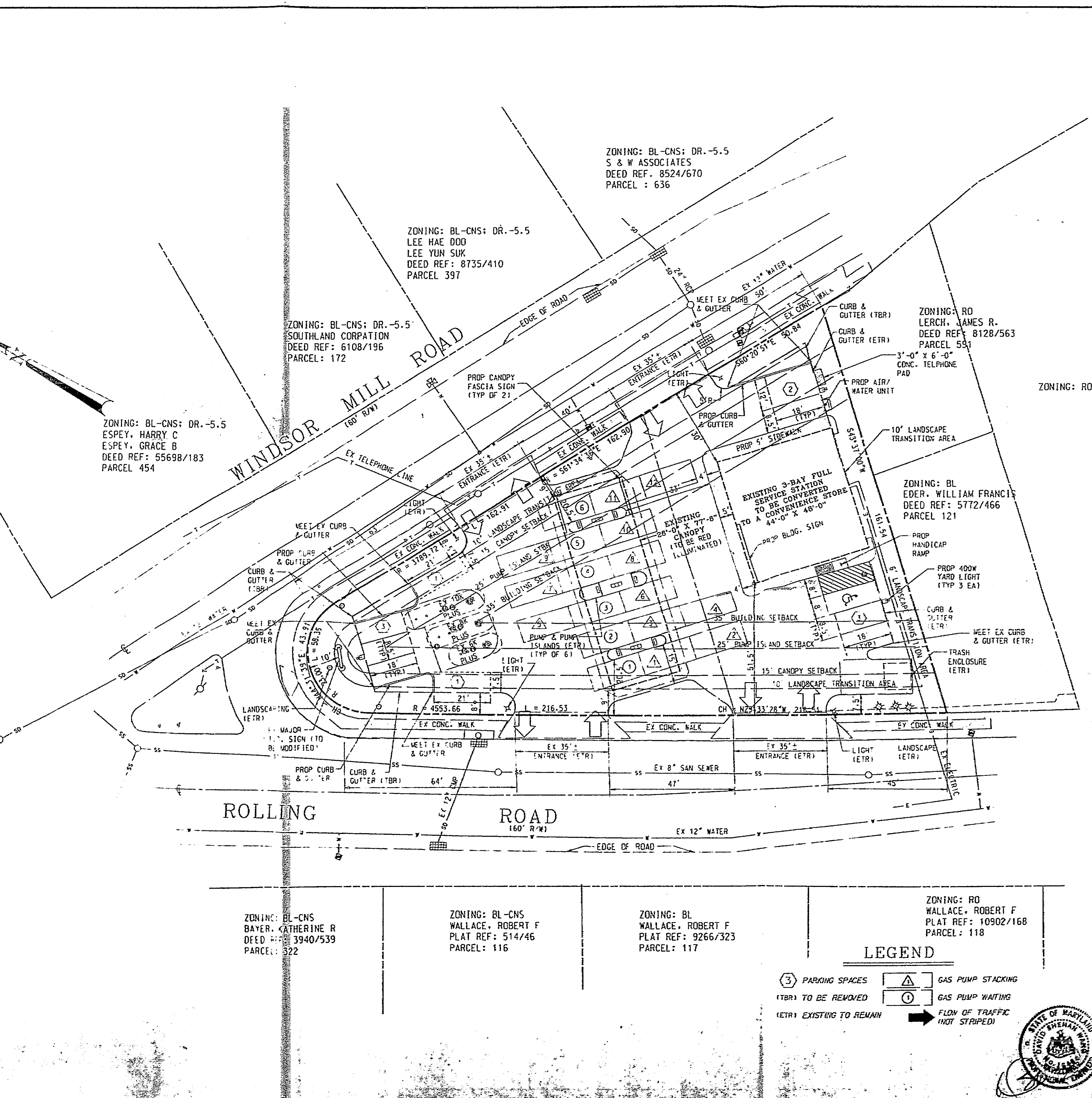
1. NET SITE AREA: 21,880 SQ. FT. = 0.50 ACRES.
2. OWNER: EXXON CORPORATION
3. DEED REFERENCE: 6393 / 83
4. ACCOUNT NO: 1900005752
5. ELECTION DISTRICT: SECOND (2ND.)
6. EXISTING USE: GAS STATION W/ SERVICE STATION
7. PROPOSED USE: GAS STATION W/ CONVENIENCE STORE
8. FLOOR AREA: 2207 S.F.
9. FLOOR AREA RATIO: 1.10
10. EXISTING IMPERVIOUS AREA: 18,276.23 S.F.
11. PROPOSED IMPERVIOUS AREA: 15,689.86 S.F.

ZONING NOTES

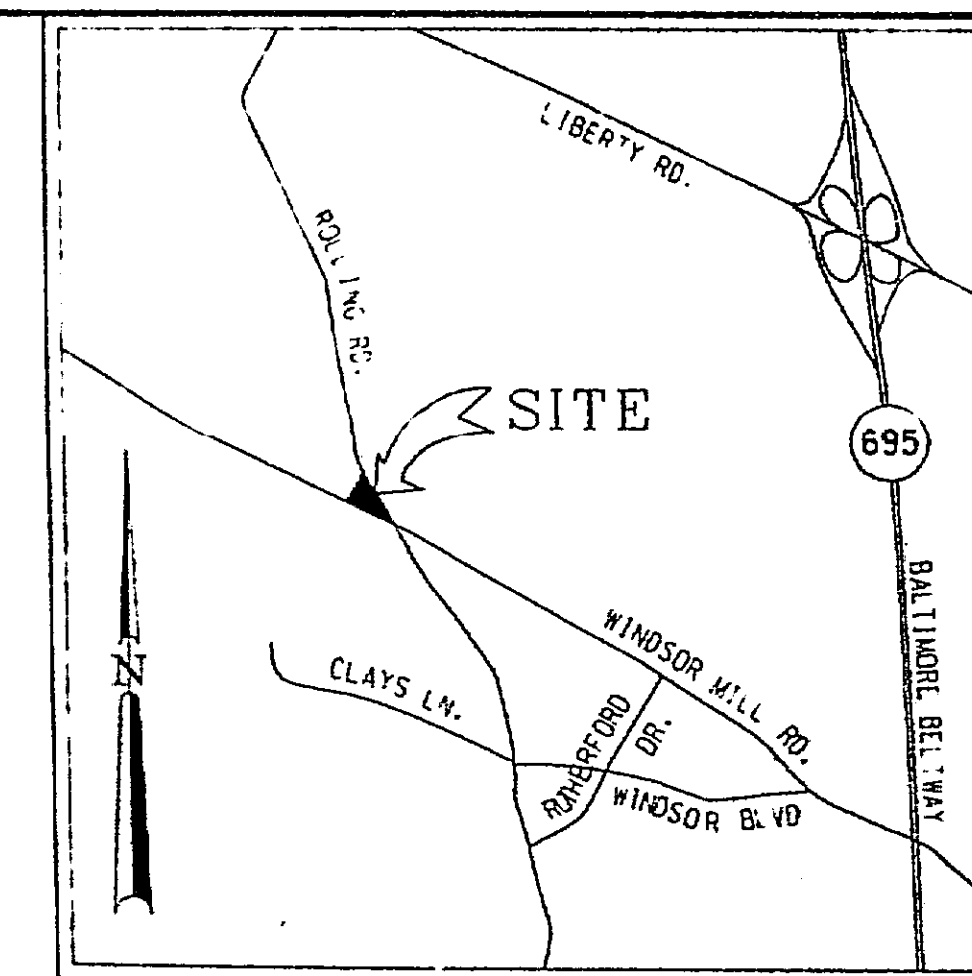
- A. ZONING STATUS:**
1. EXISTING ZONING: BL-45
2. PROPOSED ZONING: BL-45
- B. AREA REQUIREMENTS:**
1. 3 MULTI-PRODUCT DISPENSERS SERVING A TOTAL OF 6 CARS AT ONE TIME
SERVING SPACES REQUIRED: 6
SERVING SPACES PROVIDED: 6
SITE AREA REQUIRED = 5,000 SQ. FT.
2. ANCILLARY USES
CONVENIENCE STORE = 4,420.7 SQ. FT. = 88.9 SQ. FT.
3. TOTAL SITE AREA: 21,880 SQ. FT.
REQUIRED: 15,000 SQ. FT. + 88.9 SQ. FT. = 15,088.9 SQ. FT.
PROVIDED: 21,880 SQ. FT.
- C. ACCESS POINTS:**
1. EXISTING:
a. TWO (2) 35' ENTRANCES ONTO WINDSOR MILL ROAD
b. TWO (2) 35' ENTRANCES ONTO ROLLING ROAD
2. PARKING/LOADING
1. REQUIRED:
a. ONE (1) SPACE PER EMPLOYEE ON LARGEST SHIFT
b. FIVE (5) SPACES = 4,120 SQ. FT. OF GROSS FLOOR AREA
c. ONE (1) SPACE PER AIR WATER = ONE (1) SPACE
TOTAL PARKING REQUIRED = 14 SPACES
2. PROVIDED:
a. TEN (10) SPACES, INCLUDING ONE (1) HANDICAP SPACE
- D. SITE ADDRESS:**
1415 WINDSOR MILL ROAD
HEBEBVILLE, MARYLAND 21124
- E. SETBACKS:**
1. BUILDING:
a. TO RIGHT OF WAY: 35'
b. TO PROPERTY LINE COMMERCIAL: 0'
2. CANOPY:
a. TO RIGHT OF WAY: 15'
b. TO PROPERTY LINE: 0'
3. PUMP ISLANDS:
a. TO RIGHT OF WAY: 25'
b. TO PROPERTY LINE: 0'
4. SIGN:
a. TO RIGHT OF WAY: 6'
b. TO PROPERTY LINE: 6'
- F. ZONING HISTORY:**
1. CASE NUMBER 81-45-SPH. PETITION FOR SPECIAL HEARING TO USE THE SITE FOR AN AUTOMOTIVE SERVICE STATION. REQUEST WAS GRANTED. IF GRANTED, IT WAS SUGGESTED THAT A LANDSCAPING PLAN BE REQUIRED.
2. CASE NUMBER 82-45-SPH. PETITION FOR SPECIAL HEARING TO EXPAND THE SITE AREA OF AN EXISTING SERVICE STATION. IF GRANTED, IT WAS SUGGESTED THAT A LANDSCAPING PLAN BE REQUIRED.
- G. ZONING REQUESTS:**
SPECIAL HEARING TO AMEND PREVIOUSLY APPROVED ZONING MAP AND TO CONVERT FROM FULL SERVICE TO GAS AND 10.
VARIANCES REQUESTED:
a. VARIANCE TO SECTION 405.4 (2C) 1.
b. A 9' SETBACK IN LIEU OF THE 15' CANOPY SETBACK.
c. VARIANCE TO SECTION 405.4 (2C) 1.
d. A 30' SETBACK IN LIEU OF THE 35' BUILDING SETBACK.
e. VARIANCE TO SECTION 405.4 (2C) 1.
f. A 20.5' SETBACK IN LIEU OF THE 25' PUMP ISLAND SETBACK.
g. VARIANCE TO SECTION 405.4 (2C) 1.
h. A 7.5' LANDSCAPE TRANSITION AREA IN LIEU OF THE 10' LANDSCAPE TRANSITION AREA.
i. VARIANCE TO SECTION 405.4 (2C) 1.
j. TO ALLOW 10' PARKING SPACES, RATHER THAN THE REQUIRED 14 SPACES.
k. VARIANCE TO SECTION 405.4A.1
l. TO ALLOW A 21,880 SQ. FT. SITE AREA IN LIEU OF THE 23,828 SQ. FT. REQUIREMENT.
m. VARIANCE TO SECTION 405.4A.3.C.1.
n. REGARDING THE QUANTITY OF PUMP ISLANDS STACKING SPACES.
o. VARIANCE TO SECTION 415.2(F) 1.
p. TO ALLOW FOR A 161.46 SQ. FT. DOUBLED-SIDED SIGN RATHER THAN THE REQUIRED 100 SQ. FT. DOUBLED-SIDED SIGN.
q. PREVIOUS COMMERCIAL PERMITS: NONE


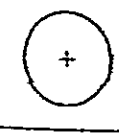


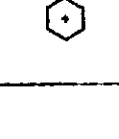
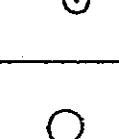


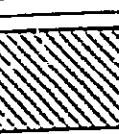

NOT:
LIGHTING: IF 50' OF RESIDENTIALLY ZONED AREA EXISTS, THEN LIGHTING SIGNAGES MAY NOT EXCEED 18'. LIGHTING SHALL BE DIRECTED AWAY FROM ANY RESIDENTIALLY ZONED AREA.

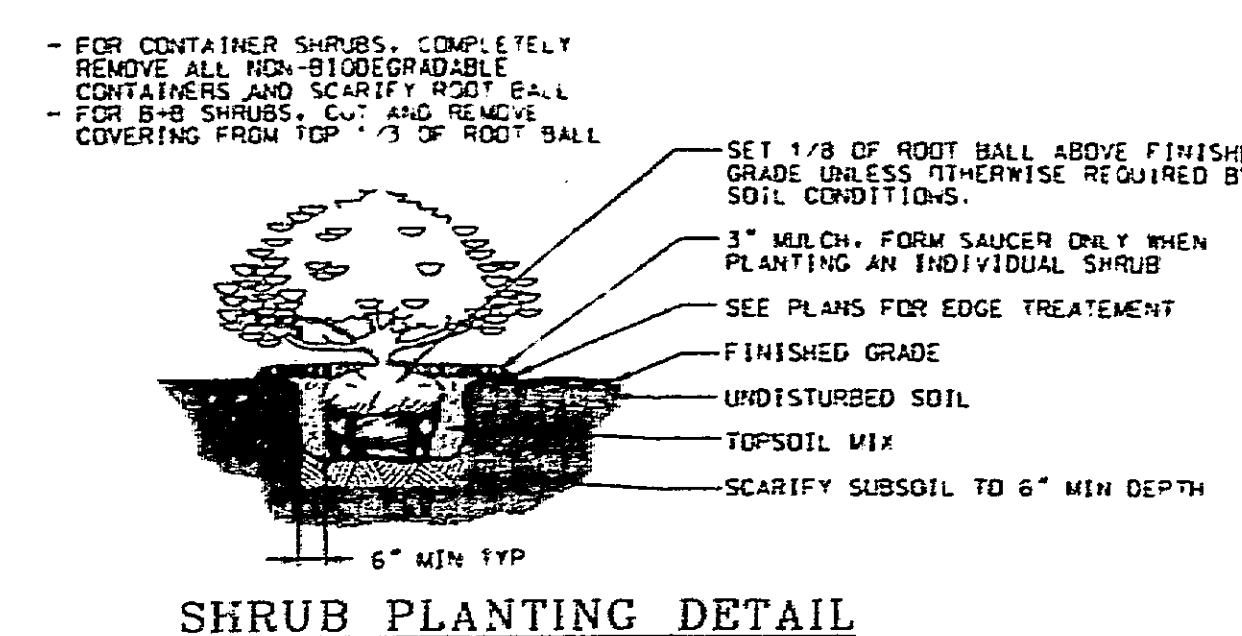
SPECIAL EXCEPTION AND VARIANCE PLAN



EXXON	FREDERICK WARD ASSOCIATES INC. ENGINEERS ARCHITECTS SURVEYORS	EXXON
SITE PLAN		





LANDSCAPE PLANTINGS				
SYMBOL	QUANTITY	BOTANICAL/COMMON NAME	SIZE	REMARK
	12	TILIA TOMENTOSA SILVER LINDEN	12"-14" HT. 2'-2 1/2' CAL.	8 & B FULL 24" D.C.
	4	LIQUIDAMBAR STYRACIFLUA SWEETGUM	10"-12" HT. 2' - 2 1/2" CAL.	8 & B FULL 16" D.C.
	2	PRUNUS X YEDDENSIS YOSHINO CHERRY	7'-8" HT. 1 3/4" - 2" CAL.	8 & B FULL 12" D.C.
	6	PICEA ABIES NORWAY SPRUCE	5'-6" HT.	8 & B HEAVY 8" D.C.
	47	CORNUS ALBA "SIBERICA" SIBERIAN CORAL-STEMMED DOGWOOD	2'-3' HT. 4-5 CANES	8 & B FULL 4" D.C.
	193	NANDINA DOMESTICA HEAVENLY BAMBOO	18"-24" HT. 18"-24" SPD.	CONT. FU 2 1/2" D.C.
	141	JUNIPERUS CONFERTA SHORE JUNIPER	9"-12" HT. 15"-18" SPD.	CONT. FU 2" D.C.
	300	VINCA MINOR COMMON PERIWINKLE	2 YR. 3" PP.	(5) 6"-8" RUNNERS 10" D.C.
	400	IBERIS SEMPERVIRENS CANDYTUFF "SNOWFLAKE"	1 QT.	CONT. 10" D.C.
	200	IMPATIENS "SUPER ELFIN" WHITE IMPATIENS	4" POT	CONT. 8" D.C.



Ref No 1



OWNER/DEVELOPER/APPLICANT 	 FREDERICK WARD ASSOCIATES INC. ENGINEERS ARCHITECTS SURVEYORS 5201 MAIN STREET ANNAPOLIS, MD 21403	DATE REVISIONS BY CHK.	EXXON COMPANY, U.S.A. A DIVISION OF EXXON CORPORATION 11 WINDSOR MILL ROAD HERRINGTON, MARYLAND 21207	PROJECT NO. 95088-00 CISC NO. SPEC. NO. PAS. NO. EWC. NO.
GREENBELT, MARYLAND 11 WINDSOR MILL ROAD HERRINGTON, MARYLAND 21207	LANDSCAPE PLAN			